

1978 (3 days), at Darlington, Wis., at a location to be later designated. The last 2 days of this hearing are set aside for cross-examination with regard to the environmental impact statement only.

No. AB 43 (Sub-No. 28), Illinois Central Gulf Railroad Co., abandonment between Freeport, Ill., and Madison, Wis., is now assigned for continued hearing July 20, 1978 (2 days), in regard to the environmental impact statement only, at Darlington, Wis., at a location to be later designated.

No. 36768, B & P Motor Express, Inc., Shengango Steel Co., a corporation—Investigation of practices, now assigned June 12, 1978, at Philadelphia, Pa., is postponed indefinitely.

No. MC 44914 (Sub-No. 3), Willamette Valley Transfer Co., is now assigned for hearing July 10, 1978 (10 days), at Portland, Oreg., at a location to be later designated.

H. G. HOMME, Jr.
Acting Secretary.

[FR Doc. 78-16047 Filed 6-8-78; 8:45 am]

[7035-01]

[Finance Docket No. 28762]

SOUTHERN RAILWAY CO. AND BURLINGTON NORTHERN, INC.

Coordination Project—In Centralia, Marion County, Ill.

Southern Railway Co., 920 15th Street NW., P.O. Box 1808, Washington, D.C. 20013, and Burlington Northern, Inc., 176 East Fifth Street, St. Paul, Ramsey, Minn 55101, represented by Nancy S. Fleischman, Solicitor, Southern Railway Co., P.O. Box 1808, Washington, D.C. 20013 and Richard J. Schreiber, Associate Regional Counsel, Burlington Northern, Inc., 547 West Jackson Boulevard, Chicago, Ill. 60606, hereby give notice that on the 15th day of May 1978, as supplemented May 31, 1978, they filed with the Interstate Commerce Commission at Washington, D.C. an application under section 5(2) of the Interstate Commerce Act for an order seeking approval and authorization of a coordination of facilities at Centralia, Marion County, Ill. BN owns and maintains but does not operate over a spur track approximately 1,775 feet (0.34 mile) in length, between milepost 66.52 and milepost 66.20 in Centralia. Southern operates over the segment as a necessary part of its main line between Louisville and East St. Louis, including the Southern/BN run-through train from Louisville to Galesburg, Ill. Part of the segment involves an 11 degree curve with jointed rail, which at normal operating speeds creates rocking and danger of derailment.

Southern proposes to acquire the 0.34 mile segment, replace jointed with welded rail, and maintain the segment at its normal main line standard. Southern proposes no change in its current operation. BN does not now

operate over the segment but will retain the right to operate jointly with Southern to serve any industries which might locate in the vicinity.

The coordination will allow BN to eliminate excess facilities and will permit Southern to improve the efficiency and safety of its operation. No effect on employees of either Southern or BN or on direct service to the public will result.

In the opinion of the applicants, the granting of the authority sought will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 CFR 1108.8) in Ex Parte No. 55 (Sub-No. 4), *Implementation—National Environmental Policy Act, 1969, 352 ICC 451 (1976)*, any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall indicate with specific data the exact nature and degree of the anticipated impact. See *Implementation—National Environmental Policy Act, 1969, supra*, at p. 487.

Interested persons may participate formally in a proceeding by submitting written comments regarding the application. Such submissions shall indicate the proceeding designation Finance Docket No. 28762, and the original and two copies thereof shall be filed with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, not later than 45 days after the date of Notice of the filing of the application is published in the FEDERAL REGISTER. Such written comments shall include the following: the person's position, e.g., party protestant or party in support, regarding the proposed transaction; specific reasons why approval would or would not be in the public interest; and a request for oral hearing if one is desired. Additionally, interested persons who do not intend to participate formally in a proceeding but who may desire to comment thereon, may file such statements and information as they may desire subject to the filing and service requirements specified herein. Persons submitting written comments to the Commission shall, at the same time, serve copies of such written comments upon Southern and BN, the Secretary of Transportation, and the Attorney General.

H. G. HOMME, Jr.
Acting Secretary

[FR Doc. 78-16049 Filed 6-8-78; 8:45 am]

[7035-01]

[Notice No. 90]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 5, 1978.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 11207 (Sub-No. 429TA), filed April 20, 1978. Applicant: DEATON, INC., P.O. Box 938, 317 Avenue West, Birmingham, AL 35201. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between Newport, KY and Wilder, KY on the one hand and, on the other, points in AL, AR, and GA (points on and west of Hwy Interstate 75), LA, MS, and TN (points on and west of Hwy I-75), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Interlake, Inc., 9th and Lowell Streets, Newport, KY 41018. Send protests to: Mabel E. Holston, Transportation Assistant,

Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 13569 (Sub-No. 37TA), filed April 20, 1978. Applicant: THE LAKE SHORE MOTOR FREIGHT CO., INC., 1200 South State Street, Girard, OH 44420. Applicant's representative: John P. Tynan, 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsites of the Republic Steel Corp., located at Canton, Cleveland, Massillon, and Warren, OH, to points in the State of IN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Republic Steel Corp., P.O. Box 6778, Cleveland, OH 44101. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, 731 Federal Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 14215 (Sub-No. 14TA), filed April 24, 1978. Applicant: SMITH TRUCK SERVICE, INC., P.O. Box 1329, Steubenville, OH 43952. Applicant's representative: John L. Alden, Stivers and Alden, 1396 West Fifth Avenue, Columbus, OH 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical process residue* in bulk, dry, from Moundsville, WV to Hagerstown, MD, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Sergeant Oil & Gas Co., Inc., 3813 Buffal Speedway, P.O. Box 812, Houston, TX 77001. Send protests to: J. A. Niggemyer, District Supervisor, Interstate Commerce Commission, 416 Old Post Office Building, Wheeling, WV 26003.

No. MC 25798 (Sub-No. 318TA), filed April 27, 1978. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, 502 E. Bridgers Avenue, Auburndale, FL 33823. Applicant's representative: Tony G. Russell, P.O. Box 1186, Auburndale, FL 33823. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the facilities of Rich Products Corp. at Murfreesboro, TN, to points in AL, AR, FL, GA, IL, IN, KY, LA, MS, MO, NC, OK, SC, TX, and WI, for 180 days. There is no environmental impact involved in this application. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Rich Products Corp., 1145 Niagara Street, Buffalo, NY 14213. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission, Monterey

Building, Suite 101, 8410 NW., 53rd Terrace, Miami, FL 33166.

No. MC 48956 (Sub-No. 15TA), filed April 26, 1978. Applicant: JAMES FLEMING TRUCKING, INC., 661 East Street, Suffield, CT 06078. Applicant's representative: S. Michael Richards, Raymond A. Richards, 44 North Avenue, P.O. Box 225, Webster, NY 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned baby food and dry cereal*, from Canajoharie, NY, to all points in CT, MA, and RI, under a continuing contract or contracts with Beech-Nut Foods Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Beech-Nut Foods Corp., Church Street, Canajoharie, NY 13317. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Room 324, Hartford, CT 06101.

No. MC 51146 (Sub-No. 496TA), filed April 20, 1978. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, WI 54306. Applicant's representative: John R. Patterson, 2480 E. Commercial Blvd., Ft. Lauderdale, FL 33308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures and fittings and related equipment*, from Evansville and Rockport, IN, to Minneapolis, St. Paul, and Montevideo, MN; and Wausau, Madison, and Middleton, WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Peerless Pottery, Inc., P.O. Box 6165, Evansville, IN 47712. (Ralph Foster.) Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

No. MC 55896 (Sub-No. 76TA), filed April 28, 1978. Applicant: R-W SERVICE SYSTEM, INC., 20225 Goddard Road, Taylor, MI 48180. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in that portion of OH on and south of U.S. 30 and on and west of U.S. 23 and New Concord, OH, on the one hand, and, on the other, Chicago, IL, restricted to traffic having a prior or

subsequent movement by rail or by freight forwarder in trailer on flat car service moving in semitrailers or containers, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (7) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Timothy S. Quinn, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 604 Federal Building and U.S. Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226.

No. MC 61977 (Sub-No. 7TA), filed April 25, 1978. Applicant: ZERKLE TRUCKING CO., 34 Race Street, Middleport, OH 45760. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, WV 25526. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, caps, covers and container accessories*, from the facilities of Kerr Glass Manufacturing Corp., at Huntington, WV, to Cincinnati, Leipsic, Medina, Orrville, and Urbana, OH, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Larry W. Wilson, Assistant General Traffic Manager, Kerr Glass Manufacturing Corp., Box 97, Sand Springs, OK 74063. Send protests to: Frances A. Ciccarello, Secretary, Interstate Commerce Commission, 3108 Federal Office Building, 500 Quarrier Street, Charleston, WV 25301.

No. MC 105566 (Sub-No. 168TA), filed April 20, 1978. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Applicant's representative: Thomas F. Kilroy, 6901 Old Keene Mill Road, Suite 406, Springfield, VA 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass bottles and/or containers*, from Joliet, IL, and Parkersburg, WV, to Fresno and Union City, CA, for 180 days. Applicant does not intend to tack the authority. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): National Bottle Manufacturing Co., P.O. Box 568, Parkersburg, WV 26101. Send protests to: P. E. Binder, Acting District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63101.

No. MC 106679 (Sub-No. 14TA), filed April 28, 1978. Applicant: WHEELER FREIGHTWAYS, 3375 South Polaris

Avenue, Las Vegas, NV 89102. Applicant's representative: Robert G. Harrison, 4299 James Drive, Carson City, NV 89701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meat and meat products and refrigerated food items* for human consumption in insulated equipment, equipped with mechanical refrigeration, and commodities which are exempt from regulation when such commodities are moving in the same vehicles with meat and food products, between points in Los Angeles and San Diego Counties, CA, and Maricopa County, AZ, on the one hand, and Clark County, NV, on the other hand, for 180 days. Supporting shipper(s): There are approximately (7) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: W. J. Heutig, District Supervisor, Interstate Commerce Commission, 203 Federal Building, 705 North Plaza Street, Carson City, NV 89701.

No. MC 111956 (Sub-No. 44TA), filed April 28, 1978. Applicant: SUWAK TRUCKING CO., 1105 Fayette Street, Washington, PA 15301. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, PA 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, from Washington, PA, to Covington and Louisville, KY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Metropak Containers Corp., 1099 Wall Street West, Lyndhurst, NJ 07071. Send protests to: J. A. Niggemyer, District Supervisor, Interstate Commerce Commission, 416 Old Post Office Building, Wheeling, WV 26003.

No. MC 112617 (Sub-No. 391TA), filed April 20, 1978. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, KY 40221. Applicant's representative: Charles R. Dunford (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules* (in bulk, in tank vehicles), from Terre Haute, IN, to points in IA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): James Doti, President, Jadcore, Inc., 1415 North Fruitridge Avenue, Terre Haute, IN 47805. Send protests to: Linda H. Sypher, District Supervisor, Interstate Commerce Commission, 426 Post Office Building, Louisville, KY 40202.

No. MC 11696 (Sub-No. 58TA), filed April 21, 1978. Applicant: HART-

MANS, INC., P.O. Box 898, 833 Chicago Avenue, Harrisonburg, VA 22801. Applicant's representative: Edward C. Villalon, 1032 Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen doughnuts*, from North East, PA, to Buffalo, NY, Winchester, VA, and Murfreesboro, TN, for 180 days. Supporting shipper(s): Rich Products Corp., Buffalo, NY 14213. Send protests to: Interstate Commerce Commission, Bureau of Operations, P.O. Box 210, Roanoke, VA 24011.

No. MC 113271 (Sub-No. 46TA), filed April 24, 1978. Applicant: CHEMICAL TRANSPORT, P.O. Box 2644, Great Falls, MT 59401. Applicant's representative: Ray K. Koby, 314 Montana Building, Great Falls, MT 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid* (in bulk, in tank vehicles), from Anaconda, MT, to points in ID, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kurt E. Mecham, President, M & M Crop Service, Inc., d.b.a. Sulac Co., Star Route, Box 190, Potcatello, ID 83201. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, 2602 First Avenue North, Billings, MT 59101.

No. MC 113670 (Sub-No. 12TA), filed April 24, 1978. Applicant: PETCO INC., INTERSTATE, 7627 Dahlia Street, P.O. Box 447, Commerce City, CO 80022. Applicant's representative: Richard J. Bara, 50 South Steel Street, Suite 330, Denver, CO 80209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquified petroleum gas* (in bulk, in tank vehicles), between points in Grand County, UT, on the one hand, and, on the other, points in CO west of the Continental Divide, for 180 days. Supporting shipper(s): Arrow Gas Co., Security National Bank Building, Suite 700, Roswell, NM. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 721 19th Street, 492 U.S. Customs House, Denver, CO 80202.

No. MC 114301 (Sub-No. 95TA), filed April 18, 1978. Applicant: DELAWARE EXPRESS CO., P.O. Box 97, Elkton, MD 21921. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, dry, in bulk, from Leominster, MA, to points in DE, for 180 days. Applicant has also filed an underlying ETA seek-

ing up to 90 days of operating authority. Supporting shipper(s): Richard L. Roundhouse, Distribution Manager, Borden Chemical, Division of Borden, Inc., 180 East Broad Street, Columbus, OH 43215. Send protests to: W. L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Building, Baltimore, MD 21201.

No. MC 114457 (Sub-No. 383TA), filed April 19, 1978. Applicant: DART TRANSIT CO., 2102 University Avenue, St. Paul, MN 55114. Applicant's representative: James H. Wills, 2102 University Avenue, St. Paul, MN 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mops, brooms, brushes*, from Greenville, NC, to Chicago, IL, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Empire Brushes, Inc., 200 William Street, Port Chester, NY 10573. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and United States Court House, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 114457 (Sub-No. 385TA), filed April 27, 1978. Applicant: DART TRANSIT CO., 2102 University Avenue, St. Paul, MN 55114. Applicant's representative: James H. Wills, 2102 University Avenue, St. Paul, MN 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel doors, steel door frames, and brass, bronze, copper and steel hardware*, from Milan, TN, and commercial zone to points in DE, MD, NJ, NY, OH, PA, VA and WV, and DC, for 180 days. Supporting shipper(s): Ceco Corp., 5601 West 26th Street, Chicago, IL 60650. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and United States Court House, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 114457 (Sub-No. 386TA), filed April 27, 1978. Applicant: DART TRANSIT CO., 2102 University Avenue, St. Paul, MN 55114. Applicant's representative: James H. Wills, 2102 University Avenue, St. Paul, MN 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty plastic containers in corrugated cartons*, from Burlington, WI, to Kansas City, KS, and Jersey City, NJ, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Continental Group, Inc., 1 Landmark Square, Stamford, CT 06901. Send protests to: Delores A. Poe, Transportation Assist-

ant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and United States Court House, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 114457 (Sub-No. 387TA), filed April 27, 1978. Applicant: DART TRANSIT CO., 2102 University Avenue, St. Paul, MN 55114. Applicant's representative: James H. Wills, 2102 University Avenue, St. Paul, MN 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Chicago, IL, to points in KY, for 180 days. Supporting shipper(s): Castle and Cook Foods, 50 California Street, San Francisco, CA 94111. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 117568 (Sub-No. 16TA), filed April 17, 1978. Applicant: KEMPT TRUCK LINE, INC., P.O. Box 156, Verona, MO 65769. Applicant's representative: William B. Barker, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Heating and air conditioning equipment*, from the plantsite and storage facilities of Southwest Manufacturing Division at or near Aurora, MO, to AL, AR, CO, GA, IL, IN, IO, KS, KY, LA, MD, MI, MN (except Minneapolis), MS, NE, NJ, NM, NY, and NC (except High Point), ND, OH, OK, PA, SC, SD, TN, TX, VA, and WV, and WI (except La Crosse), under a continuing contract, or contracts, with Southwest Manufacturing Division of Aurora, MO, for 180 days. Supporting shipper(s): Southwest Manufacturing Division, 10 North Elliott, Aurora, MO 65605. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 117686 (Sub-No. 211TA), filed April 28, 1978. Applicant: HIRSCHBACH MOTOR LINES, INC., 5000 South Lewis Boulevard, P.O. Box 417, Sioux City, IA 51102. Applicant's representative: George L. Hirschbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (except in bulk), from the facilities of Rich Products Corp. at or near Murreboro, TN, to points in IL, IN, IA, KS, KY, MN, MO, TN, and WI, for 180 days. Supporting shipper(s): Nelson Goodrich, corporate traffic manager, Rich Products Corp., 1145 Niagara Street, Buffalo, NY 14213. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Com-

mission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 117940 (Sub-No. 266TA), filed March 28, 1978, and published in the FEDERAL REGISTER issue of May 9, 1978, and republished as corrected this issue. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, MN 55359. Applicant's representative: Allan L. Timmerman, 5300 Highway 12, Maple Plain, MN 55359. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk) from the facilities of Continental Freezers of Illinois at Chicago, IL, to points in IN, KY, MI and OH, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): continental Freezers of Illinois, 4220 South Kildare Boulevard, Chicago, IL 60632. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Post Office, 110 South 4th Street, Minneapolis, MN 55401. The purpose of this republication is to indicate origin point.

No. MC 117940 (Sub-No. 267TA), filed March 28, 1978, and published in the FEDERAL REGISTER issue of May 9, 1978, and republished as corrected this issue. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, MN 55359. Applicant's representative: Allan L. Timmerman, 5300 Highway 12, Maple Plain, MN 55359. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and potato products* from the facilities of Ore-Ida Foods, Inc., at Greenville, MI to points in CT, DE, MD, MA, NH, NJ, NY, PA, VT, VA, WV and DC, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Ore-Ida Foods, Inc., P.O. Box 10, Boise, ID 83707. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401. The purpose of this republication is to indicate origin point.

No. MC 119654 (Sub-No. 42TA), filed April 28, 1978. Applicant: HI-WAY DISPATCH, INC., 1401 West 26th Street, Marion, IN 46952. Applicant's representative: Norman R. Garvin, 815 Merchants Bank Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by wholesale, retail, or chain grocery stores, from Fostoria, OH, to points in MI on and south of State

Hwy 46, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Fostoria Distribution, P.O. Box D, Fostoria, OH 44830. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

No. MC 123157 (Sub-No. 41TA), filed April 21, 1978. Applicant: CTI, P.O. Box 397, 11115 North Casa Grande Hwy, Rillito, AZ 85246. Applicant's representative: A. Michael Bernstein, 1441 East Thomas Road, Phoenix, AZ 85014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime* (in bulk), from Hurley, NM, to the Phelps Dodge Mine at Marenci, AZ, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Can-Am Corp., Paul Lime Division, P.O. Drawer T, Douglas, AZ 85607. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Room 2020 Federal Building, 230 North First Avenue, Phoenix, AZ 85025.

No. MC 124069 (Sub-No. 15TA), filed April 28, 1978. Applicant: CONCRETE DELIVERY CO., INC., 7 North Steelawanna Avenue, Lackawanna, NY 14218. Applicant's representative: William J. Hirsch, 43 Court Street, Suite 1125, Buffalo, NY 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in pneumatic tank trailers, from Rochester, NY, to Davisville, RI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Halliburton Services, a division of Halliburton Co., P.O. Box 1431, Duncan, OK 73533. Send protests to: Interstate Commerce Commission, Bureau of Operations, 910 Federal Building, 111 West Huron Street, Buffalo, NY 14202.

No. MC 126539 (Sub-No. 37TA), filed April 24, 1978. Applicant: KATUIN BROS. INC., P.O. Box 311, Fort Madison, IA 52627. Applicant's representative: Carl E. Munson, 469 Fischer Building, Dubuque, IA 52001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pelletized agricultural limestone and gypsum*, from Marion County, IA, to points in IL, KA, MN, MO, NE, ND, SD, and WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): American Pelletizing Corp., P.O. Box 3628, Des Moines, IA 50322. Send protests to: Herbert W. Allen, District Supervisor, Bureau of

Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, IA 50309.

No. MC 128375 (Sub-No. 156TA), filed April 28, 1978. Applicant: CRETE CARRIER CORP., P.O. Box 81228, Lincoln, NE 68501. Applicant's representative: Duane W. Acklie (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Erie and Lock Haven, PA, and Oswego, NY, and their commercial zones to TN, under a continuing contract, or contracts, with Hammermill Paper Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Leroy Wediner, Traffic Manager, Hammermill Paper Co., Erie, PA 16512. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Building and Court House, 100 Centennial Mall North, Lincoln, NE 68508.

No. MC 133565 (Sub-No. 13TA), filed April 28, 1978. Applicant: TRUE TRANSPORT, INC., 293 Wilson Avenue, Box 829, Newark, NJ 07101. Applicant's representative: Leamon McCoy, True Transport Inc., 15 Stockton Street, Newark, NJ 07105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Talc*, in bags, in containers or trailers having a subsequent movement by water, from Windsor, VT, to piers or wharves and railroad yards in the New York commercial zone, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Johnson & Johnson International, 501 George Street, New Brunswick, NJ. Send protests to: Joel Morricks, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Room 618, Newark, NJ 07102.

No. MC 138882 (Sub-No. 66TA), filed April 20, 1978. Applicant: WILEY SANDERS, INC., P.O. Drawer 707, Troy, AL 36081. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods and commodities in bulk), from the facilities of Vlastic Foods, Inc., located at Bridgeport, Imlay City, and Memphis, MI, to the facilities of Vlastic Foods, Inc., located at Greenville, MS; and (2) from the facilities of Vlastic Foods, Inc., located at Greenville, MS, to points in AL, AR, CO, FL, GA, KS, KY, LA, MO, NM, OK, TN, TX, IL, and IN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Vlastic Foods, Inc., 33200 West 14 Mile

Road, West Bloomfield, MI 48033. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 139066 (Sub-No. 4TA), filed April 27, 1978. Applicant: VAN BUS DELIVERY CO. doing business as United Van Bus Delivery, 2601 32nd Avenue South, Minneapolis, MN 55406. Applicant's representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are dealt in by mail order houses and retail stores and in connection therewith, such equipment, material, and supplies as are used in the conduct of such business, between Minneapolis, MN, on the one hand, and, on the other Ironwood, Calumet, Houghton, Ontonagon and L'Anse, MI, under a continuing contract, or contracts, with Sears, Roebuck & Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Sears, Roebuck & Co., P.O. Box 5208, Chicago, IL 60680. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 139482 (Sub-No. 52TA), filed March 22, 1978, and published in the FEDERAL REGISTER issue of May 16, 1978, and republished as corrected this issue. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 347, County Road No. 29 West, New Ulm, MN 56073. Applicant's representative: James F. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Part 1. *Redwood furniture, redwood furniture components, and parts and accessories* intended for use therewith, between North Sioux City, SD; Fremont, OH; and Eureka, CA; on the one hand, and, on the other, points in the United States (except AK and HI). Part 2. *Materials, equipment, and supplies* used in the manufacture and assembly of redwood furniture and redwood furniture and redwood furniture components, from: (a) Eureka, CA (redwood furniture framing components) to North Sioux City, SD, and Fremont, OH; (b) from Troy, MI (hardware—nuts, bolts, etc.), to Fremont, OH; North Sioux City, SD, and Eureka, CA; (c) from Los Angeles, CA (steel springs, straps, and rivets), to North Sioux City, SD, and Fremont, OH; (d) from Spring City, TN (furniture cushions), to North Sioux City, SD; Fre-

mont, OH, and Eureka, CA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Humboldt County Seats, Inc., 221 West 78th Street, Minneapolis, MN 55420. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401. The purpose of this republication is to add (b), (c), and (d), Part 2, to the territorial description, which was previously omitted.

No. MC 140024 (Sub-No. 107TA), filed April 28, 1978. Applicant: J. B. MONTGOMERY, INC., 5565 East 52nd Avenue, Commerce City, CO 80022. Applicant's representative: John DeCock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery* (except bulk), from Philadelphia, PA, to Chicago, IL; Detroit, MI; Cleveland, OH; Denver, CO; Dallas and Houston, TX; and Los Angeles and Hayward, CA, and points in their commercial zones, for 180 days. Supporting shipper(s): Ward-Johnston Inc., 2 Pennsylvania Plaza, New York, NY 10001. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 721 19th Street, 492 U.S. Customs House, Denver, CO 80202.

No. MC 140389 (Sub-No. 30TA), filed April 20, 1978. Applicant: OSBORN TRANSPORTATION, INC., P.O. Box 1830, Gadsden, AL 35902. Applicant's representative: Clayton R. Byrd, P.O. Box 12566, Atlanta, GA 30315. Authority sought to operate as a *common carrier*, motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and equipment, materials, and supplies used in the conduct of such business (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from the facilities of the Kroger Co., at or near Cincinnati and Columbus, OH, to Atlanta, GA; Nashville, TN; and Los Angeles, CA, and points in the commercial zone of each, for 180 days. Supporting shipper(s): The Kroger Co., 1014 Vine Street, Cincinnati, OH 45201. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 140635 (Sub-No. 11TA), filed April 6, 1978. Applicant: ADAMS LINES, INC., P.O. Box 415, 601 32nd Avenue, Council Bluffs, IA 51501. Applicant's representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, IA 51104. Authority sought to

operate as a *common carrier*, motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles* distributed by meat packinghouses as described in sections A and C of appendix I to the Report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the facilities of Thies Packing Co., Inc., at or near Great Bend, KS, to points in AL, AR, CT, DE, FL, GA, IL, IN, KY, ME, MD, MA, MI, MN, MS, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI, and DC, for 180 days. Restricted to traffic originating at the named facilities at or near the named origin and destined to the named destination States, except traffic moving in foreign commerce. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Don Dennis, General Manager, Thies Packing Co., Inc., P.O. Box 49, Great Bend, KS 67530. Send protests to: Carroll Russell, Interstate Commerce Commission, Suite 620 110 North 14th Street, Omaha, NE 68102.

No. MC 141417 (Sub-No. 2TA), filed March 28, 1978, and published in the FEDERAL REGISTER issue of May 9, 1978, and republished as corrected this issue. Applicant: SUPER SPEED DELIVERY & MESSENGER SERVICE, INC., 265 Route 46, Totowa, NJ 07512. Applicant's representative: Morton E. Kiel, 5 World Trade Center New York, NY 10048. Authority to sought to operate as a *common carrier*, motor vehicle, over irregular routes, transporting: *Textiles and textile picture kits*, from Lynchburg, VA; Madison Heights, VA; Pawtucket, RI; Taylorsville, Statesville, Greenville, Aberdeen, Spindale, and Williamston, NC; Greenville, Lugoff, Simpsonville, Wateree, Kingstree and Williamston, SC; to Newburgh, NY; East Rutherford, Haledon, Oxford, Passaic, and Paterson, NJ; Derby, CT; Fall River and New Bedford, MA; and Pawtucket, RI; for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers(s): Erlanger, Blumgar & Co., Inc., 1450 Broadway, New York, NY 10018. Send protests to: Joel Morricks, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Room 618, Newark, NJ 07102. The purpose of this republication is to show the amended authority.

No. MC 141770 (Sub-No. 1TA), filed April 25, 1978. Applicant: T.P.C. TRANSPORTATION CO., 41 Cleveland Road East, Huron, OH 44839. Applicant's representative: Lewis R. Jones, 5495 River Road, Cincinnati, OH 45233. Authority sought to operate as a *contract carrier*, by motor ve-

hicle, over irregular routes, transporting: *Fertilizer and fertilizer compounds* (in bulk, in dump vehicles), from the plant site of Agrico Chemical Co. at Melbourne, KY, to points in IL, IN, KY, MI, OH, VA, and WV, restricted to the transportation of traffic originating at the above-mentioned plantsite, under a continuing contract, or contracts, with Agrico Chemical Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Agrico Chemical Co., P.O. Box 3166, Tulsa, OK 74101. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, OH 43604.

No. MC 142777 (Sub-No. 2TA), filed April 6, 1978. Applicant: BLACK-HAWK EXPRESS, INC., P.O. Box 277, Wall Lake, IA 51466. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles* distributed by meat packinghouses, as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk), from Estherville and Sioux City, IA, and Sioux Falls, SD, to points in AL, AR, CT, DE, DC, FL, GA, LA, ME, MD, MA, MI, MS, NH, NJ, NY, NC, PA, RI, SC, TN, VT, VA, and WV, for 180 days. Restriction: Restricted to traffic originating at the plantsites and facilities of John Morrell & Co., located at the above origins and destined to the named destination States. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Curt Y. Hopkins, Manager of Transportation, John Morrell & Co., 208 South LaSalle Street, Chicago, IL 60604. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 143910 (Sub-No. 3TA), filed April 26, 1978. Applicant: NEW HAMPSHIRE CONTINENTAL EXPRESS, INC., P.O. Box 4956, Manchester, NH 03108. Applicant's representative: Edward N. Button, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, MD 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs and toilet articles and materials and supplies* used in the manufacture, sale and distribution thereof, between Allegan, MI, and points in its commercial zone, on the one hand, and, on the other,

points in CT, DE, FL, GA, IL, IN, KY, ME, MD, MA, NH, MN, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI, and the DC, under a continuing contract, or contracts, with L. Perrigo Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): L. Perrigo Co., 117 Water Street, Allegan, MI 49010 (Attention: Roland Pellegrini, Vice President and General Manager). Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3, 6 Loudon Road, Concord, NH 03301.

No. MC 144420 TA, filed March 7, 1978, published in the FEDERAL REGISTER of April 3, 1978, and republished as corrected in this issue. Applicant: MALIBU BEACH BOAT SALES & SERVICE CO., INC., Route 1, Box 261, Osage Beach, MO 65065. Applicant's representative: Harry F. Horak, 5001 Brentwood Stair Road, Room 109, Fort Worth, TX 76112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, not to exceed 45 feet in length or 13 feet 6 inches wide, in vehicles equipped with boat support equipment, between points in MO, on the one hand, and, on the other, points in AR, FL, IL, IA, KS, KY, MI, MS, OK, TN, and TX, for 180 days. Supporting shipper(s): There are approximately 11 statements of support which may be reviewed at the field office named below. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106. The purpose of this republication is to correct the number of supporting shippers.

No. MC 144653 (Sub-No. 1TA), filed April 25, 1978. Applicant: A. & D. HITCHCOCK TRUCKING, INC., 2990 Grammer Road, Webberville, MI 48892. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI 48080. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap aluminum*, from Howell, MI, to Maple Heights, OH, for 180 days. Supporting shipper(s): Aluminum Smelting & Refining Co., Inc., 5463 Dunham Road, Maple Heights, OH 44137. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Building, Lansing, MI 48933.

No. MC 144700TA, filed April 27, 1978. Applicant: CONTINENTAL CARRIERS, INC., P.O. Box 6238, Pompano Beach, FL 33050. Applicant's representative: Miles L. Kavaller, 315 South Beverly Drive, Beverly Hills, CA 90212. Authority sought to operate as a *contract carrier*, by motor vehicle,

over irregular routes, transporting: (1) *Yarn, wool and synthetic fiber yarn, and (2) textile machinery, parts, and supplies* used in the manufacture of those commodities, from Beaula-ville, Warsaw, Wahington, and Whiteville, NC, and Cheraw, SC, to Long Beach, CA, and Arlington, TX, under a continuing contract, or contracts, with National Spinning Co., Inc., for 180 days. There is no environmental impact involved in this application. Supporting shipper(s): National Spinning Co., Inc., P.O. Box 191, Washington, NC 27889. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission, Monterey Building, Suite 101, 8410 Northwest, 53rd Terrace, Miami, FL 33166.

No. MC 144702TA, filed April 27, 1978. Applicant: ASHEVILLE-NEW YORK MOTOR EXPRESS, INC., 1 Bridal Path, Asheville, NC 28804. Applicant's representative: Eric Meierhofer, 1511 K Street NW., Suite 423, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, textile products, and materials and supplies* used in the manufacture and sale thereof, between New York, NY, and points in its commercial zone on the one hand, and, on the other, Asheville, NC, and points in its commercial zone, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (7) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Room CC516, Mart Office Building, Charlotte, NC 28205.

No. MC 144704TA, filed April 26, 1978. Applicant: CHERNICKY TRUCKING, INC., P.O. Box 215, Route 66, Shippensburg, PA 16254. Applicant's representative: John A. Pillar, 205 Ross Street, Pittsburgh, PA 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal* (in dump vehicles), from Clarion Township, Clarion County, PA, to Dunkirk Township, Chautauqua County, NY, under a continuing contract, or contracts, with Chernicky coal Co., Inc., of Shippensburg, PA, for 180 days. Supporting shipper(s): Chernicky Coal Co., Inc., P.O. Box 175, Route 66, Shippensburg, PA 16254. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, 211 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 144705 TA, filed April 26, 1978. Applicant: CARL O. SCHEIDEMANTLE, Rural Delivery No. 1, Har-

mony, PA 16037. Applicant's representative: John A. Pillar, 205 Ross Street, Pittsburgh, PA 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in dump vehicles, from points in Beaver County, PA, to points in Jefferson County, OH, under a continuing contract, or contracts, with Xecol Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Xecol Corp., 1460 Coraopolis Heights Road, Coraopolis, Pa 15108. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 144706 TA filed April 27, 1978. Applicant: QUESTCO, INC., d.b.a. HAZELTON BROS., 689 Gifford Street, Falmouth, MA 02540. Applicant's representative: Joseph P. Dunn, Jr., 65 Falmouth Heights Road, P.O. Drawer U, Falmouth, MA 02541. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, repossessed automobiles* requiring the use of special equipment, from all points in Barnstable, Nantucket, and Dukes Counties, MA, to East Providence, RI, under a continuing contract, or contracts, with Auto Placement Center, Inc., for 180 days. Supporting shipper(s): Auto Placement Center, Inc., 160 Amaral Street, East Providence, RI 02915. Send protests to: Gerald H. Curry, District Supervisor, 24 Weybosset Street, Room 102, Providence, RI 02903.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-16043 Filed 6-8-78; 8:45 am]

[7035-01]

[Ex Parte No. 241; Rule 19, Second Rev. Exemption No. 138-A]

EXEMPTION UNDER MANDATORY CAR SERVICE RULES

To: All railroads.

Upon further consideration of Exemption No. 138 issued April 15, 1977.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 138 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 is vacated.

This amendment shall become effective 11:59 p.m., May 16, 1978.

Issued at Washington, D.C., May 16, 1978.

INTERSTATE COMMERCE
COMMISSION,

ROBERT S. TURKINGTON,
Agent.

[FR Doc. 78-16048 Filed 6-8-78; 8:45 am]

[7035-01]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES), RAILROAD ABANDONMENTS, ALTERNATE ROUTE DEVIATIONS, AND INTRASTATE APPLICATIONS

No. MC 107478 (Sub-No. 21), filed November 25, 1975. Applicant: OLD DOMINION FREIGHT LINE, a corporation, 1791 Westchester Drive, P.O. Box 1189, High Point, NC 27261. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, DC 20036. Applicant sought authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *general commodities*, with the usual exceptions, between Halifax and Vance Counties, NC on the one hand and, on the other, Baltimore, MD, and points in a described portion of Pennsylvania. The notice published at the time this application was filed failed to mention that applicant intended to tack the sought authority with other irregular-route authorities to provide a through service. The Commission has decided that applicant should actually be seeking authority to transport general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) between points in NC, SC, and GA (except Augusta) and points in that portion of VA south of a line beginning at the VA-NC State line, and extending along U.S. Hwy 29 to Danville, VA, then along U.S. Hwy 360 to Richmond, VA, then along U.S. Hwy 60 to Norfolk, VA (except Franklin and Norfolk, VA, and points within 20 miles of Franklin or Norfolk), on the one hand and, on the other, Providence, RI, Corning, NY, Baltimore, MD, points in NJ, points in NY within 150 miles of Newark, NJ, points in MA and CT on and east of U.S. Hwy 5, points in CT on U.S. Hwy 1 between the NY-CT State line and New Haven, CT, and points in that portion of PA on, east, and south of a line beginning at the MD-PA State line and extending along Interstate Hwy 83 to York, PA, then along U.S. Hwy 30 to its junction with U.S. Hwy 202, then along U.S. Hwy 202 by way of New Hope, PA, to the PA-NJ State line. Interested persons, including protestants presently parties to this proceeding, have 30 days in which to file protests, after which time Division 1 will designate the proceeding for handling under the modified procedure, or, if deemed necessary, will assign it for oral hearing.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-16050 Filed 6-8-78; 8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 91-409), 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Civil Aeronautics Board.....	1
Commodity Futures Trading Commission	2, 3
Equal Employment Opportunity Commission.....	4
Federal Election Commission.....	5
Federal Energy Regulatory Commission	6
Federal Maritime Commission...	7
Federal Reserve System (Board of Governors).....	8
Federal Trade Commission	9, 10, 11
Interstate Commerce Commission	12
Nuclear Regulatory Commission	13, 14, 15, 19
Railroad Retirement Board.....	16
Renegotiation Board.....	17, 18

[6320-01]

1

[M-135, Amdt. 1; June 5, 1978]

NOTICE OF ADDITION AND DELETION OF ITEMS TO THE JUNE 8, 1978, AGENDA

CIVIL AERONAUTICS BOARD.

TIME AND DATE: 10 a.m., June 8, 1978.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT:

(Deletion) 2. Docket 30332, IATA agreement dealing with reduced fares for cargo agents (Memo No. 7982, BPDA, BIA).

(Deletion) 6. Docket 29968, *Louisville Service Case—Order on Discretionary Review* (Memo No. 6240-C, OGC).

(Addition) 6a. Docket 29256 (*Seaboard World Airlines, Inc. v. Overseas National Airways, Inc.*, Enforcement Proceeding), discretionary review on Board initiative of initial decision and order terminating proceeding alleging that ONA engaged in foreign air transportation by conducting two cargo charter flights (Memo No. 7997, OGC).

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, the Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: Items 2 and 6 were inadvertently added to the June 8, 1978 agenda. Unless the Board acts on Item 6a by June 9, the initial decision, under Section 302.27 of the regulations, becomes the order of the Board on June 10, nine days after the time (May 31) for filing petitions for discretionary

review. Accordingly, the following members have voted that agency business requires the deletion of Items 2 and 6 and the addition of Item 6a and that no earlier announcement of these changes was possible:

Chairman, Alfred E. Kahn
Vice Chairman, G. Joseph Minetti
Member, Lee R. West
Member, Richard J. O'Melia
Member, Elizabeth E. Bailey
[S-1195-78 Filed 6-7-78; 8:45 am]

[6351-01]

2

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 5 p.m., June 12, 1978.

PLACE: 8th Floor Conference Room, 2033 K Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Personnel matters.

CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1193-78 Filed 6-7-78; 8:47 am]

[6351-01]

3

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 10 a.m., June 13, 1978.

PLACE: 5th Floor Hearing Room, 2033 K Street NW., Washington, D.C.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

Regulation 1.61 Policy Discussion.
Proposed July Calendar.
Procedures for Review of Disciplinary Actions—Part 9.
Section 217—leverage policy discussion and legislative alternatives.

Portions closed to the public:

Enforcement matters.

CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1194-78 Filed 6-7-78; 8:47 am]

[6570-06]

4

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 9:30 a.m. (eastern time), Tuesday, June 13, 1978.

PLACE: Chairman's Conference Room, No. 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Parts of the meeting will be open to the public and parts will be closed to the public.

MATTERS TO BE CONSIDERED:

Open to the public:

1. Amendment of fee schedule for Freedom of Information Act requests.
2. Modification of private bar program.

Closed to the public:

1. Litigation Authorization; General Counsel Recommendations; Matters closed to the public under Sec. 1612.13(a) of the Commission's regulations (42 FR 13830, March 14, 1977).

2. Proposed settlement of a Commissioner's charge.

NOTE.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION:

Marie D. Wilson, Executive Officer, Executive Secretariat, at 202-634-6748.

This notice issued June 6, 1978.

[S-1204-78 Filed 6-7-78; 12:30 pm]

[6715-01]

5

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Wednesday, June 14, 1978, at 10 a.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Audit reports, compliance, personnel.

DATE AND TIME: Thursday, June 15, 1978, at 10 a.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: Portions of this meeting will be open to the public and portions will be closed.

MATTERS TO BE CONSIDERED:

Portions open to the public:

Setting of future meeting dates.
Correction and approval of minutes.
Reports from division heads: Administration Division and Public Records.
Pending legislation.
Pending litigation.
Appropriations and budget.
Liaison with other Federal agencies.
Memorandum on particulars.
Classification actions.
Routine administrative matters.
Advisory opinions: AO 1978-30 and AO 1978-33.

Portions closed to the public (executive session):

Any matters not concluded at the meeting of June 14, 1978.

PERSON TO CONTACT FOR INFORMATION:

Mr. David Fiske, Press Officer, telephone 202-253-4065.

MARJORIE W. EMMONS,
Secretary to the Commission.
[S-1206-78 Filed 6-7-78; 3:16 pm]

[6740-02]

6

JUNE 6, 1978.

FEDERAL ENERGY REGULATORY COMMISSION.

TIME AND DATE: 1:30 p.m., June 8, 1978.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Initiation of an investigation.

CONTACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary, telephone 202-275-4166.

[S-1197-78 Filed 6-7-78; 10:34 am]

[6730-01]

7

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 10 a.m., June 14, 1978.

PLACE: Room 12126, 1100 L Street NW., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

1. Petition for reconsideration of order of conditional approval of Agreement No. 10270.

2. Special Docket No. 555: *Commercial Metal Company v. Sea-Land Service, Inc.*—Review of initial decision.

3. Special Docket No. 567: *Kuehne & Nagel, Inc. v. Lykes Bros. Steamship Co., Inc.*—Review of initial decision.

4. Docket No. 75-20: Puerto Rico Maritime Shipping Authority—Rates on government cargo—Decision on request for oral argument.

5. Docket No. 75-21: *West Gulf Maritime Association v. Port of Houston Authority of the Port of Houston, Tex.*—Decision on whether to hear oral argument.

6. Special Docket No. 565: *Mitsui & Co. (USA), Inc. v. Pacific Westbound Conference*—Review of the record.

7. Informal Docket No. 387(I): *Pan American Health Organization v. Moore-McCormack Lines, Inc.*—Complainant's petition for reconsideration of the decision of the Commission.

8. Docket No. 77-31: *Chevron Chemical International, Inc. v. Sea-Land Service, Inc.*—Complainant's petition for reconsideration of the decision of the Commission.

Portions closed to the public:

1. Docket No. 77-4—Agreement Nos. 9902-3, et al.; petition for reconsideration of modification of order of investigation and hearing.

2. Activities of Sea-Train Lines, Inc., under sections 16 and 18 of the Shipping Act, 1916.

CONTACT PERSON FOR MORE INFORMATION:

Francis C. Hurney, Secretary, 202-523-5725.

[S-1203-78 Filed 6-7-78; 10:34 am]

[6210-01]

8

FEDERAL RESERVE SYSTEM (BOARD OF GOVERNORS).

TIME AND DATE: 10 a.m., Wednesday, June 14, 1978.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

SUMMARY AGENDA

Because of its routine nature, no substantive discussion of the following item is anticipated. This matter will be voted on without discussion unless a member of the Board requests that the item be moved to the discussion agenda.

1. Proposal to operate an automated clearing house at the Federal Reserve Bank of Chicago.

DISCUSSION AGENDA

1. Proposed statement to be presented to the Subcommittee on Financial Institutions of the Senate Committee on Banking, Housing and Urban Affairs regarding H.R. 10899, a bill entitled the "International Banking Act of 1978."

2. Proposed follow up report to be presented to the Senate Committee on Banking, Housing and Urban Affairs regarding a special survey undertaken by the three Federal

bank regulatory agencies concerning bank stock loans, insider loans and overdrafts.

3. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board, 202-452-3204.

Dated: June 7, 1978.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[S-1198-78 Filed 6-7-78; 10:34 am]

[6750-01]

9

FEDERAL TRADE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: FR 43, June 2, 1978, Page No. 24169.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Tuesday, June 6, 1978.

CHANGES IN THE AGENDA: The Federal Trade Commission has deleted consideration of disposition of a non-public Part II matter, and has changed the date of the meeting to Wednesday, June 7, 1978, 10 a.m.

[S-1190-78 Filed 6-7-78; 8:47 am]

[6750-01]

10

FEDERAL TRADE COMMISSION.

TIME AND DATE: 10 a.m., Wednesday, June 14, 1978.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission has not yet scheduled any matters for discussion at this meeting. If no item is placed on the agenda by 10 a.m., on Wednesday, June 14, 1978, the meeting will automatically be cancelled. Any item that is placed on the agenda before that time will be announced in accordance with the Additional Information procedures posted with Commission Meeting Notices outside Room 130 of the Federal Trade Commission.

CONTACT PERSON FOR MORE INFORMATION:

Wilbur T. Weaver, Office of Public Information, 202-523-3830. Recorded Message: 202-523-3806.

[S-1191-78 Filed 6-7-78; 8:47 am]

[6750-01]

11

FEDERAL TRADE COMMISSION.

TIME AND PLACE: 2 p.m., Thursday, June 15, 1978.

PLACE: Room 532, (open); Room 540 (closed); Federal Trade Commission Building, 6th Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

(1) Oral argument in Gold Bullion International, Ltd, et al., Docket No. 9094.

Portions closed to the public:

(2) Post-oral argument meeting to consider disposition of appeal from initial decision in Gold Bullion International, Ltd., et al., Docket No. 9094.

CONTACT PERSON FOR MORE INFORMATION:

Wilbur T. Weaver, Office of Public Information, 202-523-3830. Recorded Message: 202-523-3806.

[S-1192-78 Filed 6-7-78; 8:47 am]

[7035-01]

12

INTERSTATE COMMERCE COMMISSION.

TIME AND DATE: 9:30 a.m., Tuesday, June 13, 1978.

PLACE: Room 4225, Interstate Commerce Commission Building, 12th Street and Constitution Avenue NW., Washington, D.C.

STATUS: Open special conference.

MATTERS TO BE CONSIDERED:

1. Division assignments.
2. Quarterly briefing on carrier and transportation industry outlook (economics).
3. Freight car utilization.
4. Internal minutes (PRO).

CONTACT PERSON FOR MORE INFORMATION:

Douglas Baldwin, Director, Office of Communications, telephone 202-275-7252.

The Commission's professional staff will be available to brief news media representatives on conference issues at the conclusion of the meeting.

Dated: June 6, 1978.

[S-1196-78 Filed 6-7-78; 8:47 am]

[7590-01]

13

NUCLEAR REGULATORY COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 43 FR 28343.

PREVIOUSLY ANNOUNCED TIME AND DATE: Monday, June 5, 1978.

PLACE: Commissioner's Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Closed (cancellation).

CHANGES IN THE MEETING: 1. The discussion of personnel matter (closed—Exemption 6) scheduled for approximately 3:30 p.m. was cancelled.

CONTACT PERSON FOR MORE INFORMATION:

Roger Tweed, 202-634-1410.

ROGER M. TWEED,
Office of the Secretary.

JUNE 6, 1978.

[S-1200-78 Filed 6-7-78; 10:34 am]

[7590-01]

14

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: Wednesday, June 7, 1978.

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Wednesday, June 7, 10:30 a.m.—1. Discussion of draft testimony on waste management (approximately 1 hour—public meeting); continuation of June 5 meeting.

CONTACT PERSON FOR MORE INFORMATION:

Roger Tweed, 202-634-1410.

ROGER M. TWEED,
Office of the Secretary.

JUNE 6, 1978.

[S-1201-78 Filed 6-7-78; 10:34 am]

[7590-01]

15

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: Week of June 12, 1978.

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open and closed.

MATTERS TO BE CONSIDERED:

Monday, June 12, 9:30 a.m.—1. Discussion of draft testimony on waste management legislation (approximately 1½ hours—public meeting). 2. Affirmation Items (approximately 10 minutes—public meeting): (a) Modification of ECCS Rule in 10 CFR 50.46 and (b) Order in GESMO Concerning PIRG.

Monday, June 12, 1:30 p.m.—1. Discussion of personnel matter (approximately 1 hour). (Closed—Exemption 6.) 2. Discussion of OIA/OGC inquiry in testimony of Executive Director for Operations (approximately 1 hour). (Closed—Exemption 6.)

CONTACT PERSON FOR MORE INFORMATION:

Roger Tweed, 202-634-1410.

ROGER M. TWEED,
Office of the Secretary.

JUNE 5, 1978.

[S-1202-78 Filed 6-7-78; 10:34 am]

[7905-01]

16

RAILROAD RETIREMENT BOARD.

TIME AND PLACE: 9 a.m., June 16, 1978.

PLACE: Board's meeting room on the 8th floor of its headquarters building at 844 Rush Street, Chicago, Ill. 60611.

STATUS: Part of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

- (1) Remodeling of the first floor information office.
- (2) Hearings and appeals backlog.
- (3) Rewrite of regulations on erroneous payments.
- (4) Delegation of functions by Board.
- (5) Questionnaire on employer status of certain companies.
- (6) General Services Administration proposal for commercial contractual cleaning service.
- (7) Technical amendments.
- (8) Office of Management and Budget Bulletin No. 78-13 on control of official travel.

Portion closed to the public.

- (9) Appeal from referee's denial of disability annuity application, William D. Farley.

CONTACT PERSON FOR MORE INFORMATION:

R. F. Butler, Secretary of the Board, COM NO. 312-751-4920, FTS NO. 387-4920.

[S-1205-78 Filed 6-7-78; 2:05 pm]

[7910-01]

17

RENEGOTIATION BOARD.

DATE AND TIME: Tuesday, June 13, 1978; 10 a.m.

PLACE: Conference Room, 4th Floor, 2000 M Street NW., Washington, D.C. 20446.

STATUS: Matters 1 through 7 are open to public observations. Matters 8 and 9 are closed to public observation. Matters 10 and 11 are not applicable for status.

MATTERS TO BE CONSIDERED:

1. Approval of minutes of meeting held June 6, 1978, and other Board meetings, if any.
2. Recommendation for clearance or assignment to a division: Fairchild Industries,

Inc.—Consolidated with: Burns Aero Sea Co., Inc., and S. J. Industries, Inc., fiscal years ending December 31, 1969, 1970, and 1971.

3. Recommended clearances without assignment (List 1910):

D. Ward Leonard Electric Co., fiscal year ended December 31, 1975.

D-1. Lee Spring Co., Inc., fiscal year ended December 31, 1975.

D-2. Unimax Switch Corp., fiscal year ended December 31, 1975.

4. Recommended determination of excess profits: A. J. Industries, Inc. (Agent) (\$825,000)—Consolidated with: Sargent-Fletcher Co., Inc., Fleetwood Metals, Inc., Armstrong Products Co., Sargent Engineering Corp., fiscal year ended March 21, 1972.

5. Recommended determination of excess profits and clearance: Lanson Industries, Inc., fiscal year ended October 31, 1971 (\$750,000); fiscal year ended October 31, 1972 (Clearance).

6. Recommended determination of excess profits: Stelma, Inc., fiscal year ended March 31, 1967.

7. Partial mandatory exemption of new durable productive equipment: Bryand Grinder Corp., fiscal years ended November 30, 1974, and 1975.

8. Court of Claims Case: *Whittaker Corporation, SII to Columbus Milpar and Mfg. Co. v. United States*, Ct. Cl. No. 47-74.

9. Report on Eastern Regional Renegotiation Board progress.

10. Approval of agenda for meetings to be held June 27, and July 3, 1978.

11. Approval of agenda for other meeting, if any.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: June 6, 1978.

GOODWIN CHASE,
Chairman.

[S-1199-78 Filed 6-7-78; 10:34 am]

[7910-01]

18

RENEGOTIATION BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 19105, May 3, 1978.

PREVIOUSLY ANNOUNCED DATE AND TIME OF MEETING: Wednesday, June 7, 1978; 9:30 a.m.

CHANGE IN MEETING: Date postponed to Thursday, June 22, 1978; 9:30 a.m.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M

Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: June 7, 1978.

GOODWIN CHASE,
Chairman.

[S-1207-78 Filed 6-7-78; 3:16 pm] [I5017590-01]

19

NUCLEAR REGULATORY COMMISSION

TIME AND DATE: Week of June 5, 1978.

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

FRIDAY, JUNE 9

9 a.m.—Discussion of Stay Motion in Seabrook (ALAB-471). (approx. 1 hr.) (Closed-Exemption . 10) Continued from June 7.

CONTACT PERSON FOR MORE INFORMATION: Roger Tweed: 202-634-1410

JUNE 7, 1978.

ROGER M. TWEED,
Office of the Secretary.

[S-1208-78 Filed 6-8-78; 10:46 am]

FRIDAY, JUNE 9, 1978
PART II



**COUNCIL ON
ENVIRONMENTAL
QUALITY**

■

**NATIONAL
ENVIRONMENTAL
POLICY ACT**

**Proposed Regulations for
Implementing Procedural
Provisions**

Register
of
Proposed
Regulations

[3125-01]

COUNCIL ON ENVIRONMENTAL QUALITY

[40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508]

NATIONAL ENVIRONMENTAL POLICY ACT—REGULATIONS

Proposed Implementation of Procedural Provisions

MAY 31, 1978.

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Proposed regulations.

SUMMARY: These proposed regulations implementing procedural provisions of the National Environmental Policy Act are submitted for public comment. These regulations would provide Federal agencies with uniform procedures for implementing the law. The regulations would accomplish three principal aims: to reduce paperwork, to reduce delays, and to produce better decisions.

DATES: Comments must be received by August 11, 1978.

ADDRESSES: Comments should be addressed to: Nicholas C. Yost, General Counsel, Attention: NEPA Comments, Council on Environmental Quality, 722 Jackson Place NW., Washington, D.C. 20006.

FOR FURTHER INFORMATION CONTACT:

Nicholas C. Yost, General Counsel on Environmental Quality (address same as above), 202-633-7032.

SUPPLEMENTARY INFORMATION:

1. PURPOSE

We are publishing for public review draft regulations to implement the National Environmental Policy Act. Their purpose is to provide all Federal agencies with an efficient, uniform procedure for translating the law into practical action. We expect the new regulations to accomplish three principal aims: To reduce paperwork, to reduce delays, and at the same time to produce better decisions, thereby better accomplishing the law's objective, which is to protect and enhance the quality of the human environment.

These regulations replace the Guidelines issued by previous Councils, under Executive Order 11514 (1970), and apply more broadly. The Guidelines assist Federal agencies in carrying out NEPA's most conspicuous requirement, the preparation of environmental impact statements (EISs). These regulations were developed in response to Executive Order 11991 issued by President Carter in 1977, and

implement "the procedural provisions of the Act." They address all nine subdivisions of Section 102(2) of the Act, rather than just the EIS provision covered by the Guidelines, and they carry out the broad purposes and spirit of the Act.

President Carter instructed us that the regulations should be:

*** designed to make the environmental impact statement more useful to decision-makers and the public; and to reduce paperwork and the accumulation of extraneous background data, in order to emphasize the need to focus on real environmental issues and alternatives.

The President has also signed Executive Order 12044, dealing with regulatory reform. It is our intention that that Order and these NEPA regulations be read together and implemented consistently.

2. SUMMARY OF CHANGES MADE BY THE REGULATIONS

Following this mandate in developing the new regulations, we have kept in mind the threefold objective of less paperwork, less delay, and better decisions.

A. REDUCING PAPERWORK

The measures to reduce paperwork are listed in sec. 1500.4 of the regulations. Neither NEPA nor these regulations impose paperwork requirements on the public. These regulations reduce such requirements on agencies of government.

i. *Reducing the length of environmental impact statements.* Agencies are directed to write concise EISs, which shall normally be less than 150 pages, or, for proposals of unusual scope and complexity, 300 pages.

ii. *Emphasize options among alternatives.* The regulations stress that the environmental analysis is to concentrate on alternatives, which are the heart of the matter; to treat peripheral matters briefly; and to avoid accumulating masses of background data which tend to obscure the important issues.

iii. *Using an early "scoping" process to determine what the important issues are.* To assist agencies in deciding what the central issues are, how long the EIS shall be, and how the responsibility for the EIS will be allocated among the lead agency and co-operating agencies, a new "scoping" procedure is established. Scoping meetings are to be held as early in the NEPA process as possible—in most cases, shortly after the decision to prepare an EIS—and shall be integrated with other planning.

iv. *Writing in plain language.* The regulations strongly advocate writing in plain, direct language.

v. *Following a clear format.* The regulations spell out a standard format

intended to eliminate repetitive discussion, stress the major conclusions, highlight the areas of controversy, and focus on the issues to be resolved.

vi. *Requiring summaries of environmental impact statements* to make the document more usable by more people.

vii. *Eliminating duplication.* To eliminate duplication, the regulations provide for Federal agencies to prepare EISs jointly with state and local units of government which have "little NEPA" requirements. They also permit a Federal agency to adopt another agency's EIS.

viii. *Consistent terminology.* The regulations provide a uniform terminology for the implementation of NEPA. For instance, the CEQ requirement for an environmental assessment will replace the following (nonexhaustive) list of comparable existing agency procedures: "survey" (Corps of Engineers), "environmental analysis" (Forest Service), "initial assessment" (Transportation), "normal or special clearance" (HUD), "environmental analysis report" (Interior), and "marginal impact statement" (HEW).

ix. *Reducing paperwork requirements.* The regulations will reduce reporting paperwork requirements as summarized below. The existing Guidelines issued under Executive Order 11514 cover section 102(2)(C) of NEPA (environmental impact statements), and the new CEQ regulations cover sections 102(2)(A) through (I). The regulations replace not only the requirements of the Guidelines concerning environmental impact statements, but also replace more than 70 different sets of existing agency regulations, although each agency will issue its own implementing procedures to explain how these regulations apply to its particular programs.

Existing Requirements (Applicable Guidelines sections are noted.)	New Requirements (Applicable regulations sections are noted.)
Assessment (optional under Guidelines on a case-by-case basis; currently required, however by most major agencies in practice or in procedures) 1500.6.	Assessment (limited requirement: not required where there would not be environmental effects or where an EIS would normally be required) 1501.3, 4.
Notice of intent to prepare impact statement 1500.6.	Notice of intent to prepare EIS and commence scoping process 1501.7
Quarterly list of notices of intent 1500.6.	Requirement abolished.
Negative determination (decision not to prepare impact statement) 1500.6.	Finding of no significant impact 1501.4.
Quarterly list of negative determinations 1500.6.	Requirement abolished.
Draft EIS 1500.7.	Draft EIS 1502.9
Final EIS 1500.6, 10.	Final EIS 1502.9
EISs on legislative reports ("agency reports on legislation initiated elsewhere") 1500.5(a)(1).	Requirement abolished.
Agency report to CEQ on implementation experience 1500.14(b).	Do.

Existing Requirements (Applicable Guidelines sections are noted.)	New Requirements (Applicable regulations sections are noted.)
Agency report to CEQ on substantive guidance 1500.6(c), 14.	Do.
Record of decision (no Guideline provision but required by many agencies' own procedures and in a wide range of cases generally under the Administrative Procedure Act and OMB Circular A-95, Part I, sec. 6(c) and (d), Part II, sec. 5(b)(4)).	Record of decision (brief explanation of decision EIS has been prepared; no circulation requirement) 1505.2.

B. REDUCING DELAY

The measures to reduce delay are listed in § 1500.5 of the regulations.

i. *Time limits on the NEPA process.* The regulations encourage lead agencies to set time limits on the NEPA process and require that they be set when requested by an applicant.

ii. *Integrating EIS requirements with other environmental review requirements.* Often the NEPA process and the requirements of other laws proceed separately, causing delay. The regulations provide for all agencies with jurisdiction over the project to cooperate so that all reviews may be conducted simultaneously.

iii. *Integrating the NEPA process into early planning.* If environmental review is tacked on to the end of the planning process, then the process is prolonged, or else the EIS is written to justify a decision that has already been made, and genuine consideration may not be given to environmental factors.

iv. *Emphasizing interagency cooperation before the EIS is drafted.* The regulations emphasize that other agencies should begin cooperating with the lead agency before the EIS is prepared in order to encourage early resolution of differences. By having the affected agencies cooperate early in preparing a draft EIS, we hope both to produce a better draft and to reduce delays caused by unnecessarily late criticism.

v. *Swift and fair resolution of lead agency disputes.* When agencies differ as to who shall take the lead in preparing an EIS or none is willing to take the lead, the regulations provide a means for prompt resolution of the dispute.

vi. *Prepare EISs on programs and not repeat the same material in project specific EISs.* Material common to many actions may be covered in a broad EIS, and then through "tiering" may be incorporated by reference rather than reiterated in each subsequent EIS.

vii. *Legal delays.* The regulations provide that litigation should come at the end rather than in the middle of the process.

viii. *Accelerated procedures for legislative proposals.* The regulations pro-

vide accelerated simplified procedures for environmental analysis of legislative proposals, to fit better with Congressional schedules.

C. BETTER DECISIONS

Most of the features described above will help to improve decisionmaking. This, of course, is the fundamental purpose of the NEPA process, the end to which the EIS is a means. Section 101 of NEPA sets forth the substantive requirements of the Act, the policy to be implemented by the "action-forcing" procedures of Section 102. These procedures must be tied to their intended purpose, otherwise they are indeed useless paper work and wasted time. A central purpose of these regulations is to tie means to ends.

i. *Securing more accurate, professional documents.* The regulations insist upon accurate documents as the basis for sound decisions. The documents should draw upon all the appropriate disciplines from the natural and social sciences, plus the environmental design arts. The lead agency is responsible for the professional integrity of reports, and care should be taken to keep any possible bias from data prepared by applicants out of the environmental analysis. A list of people who helped prepare documents, and their professional qualifications, should be included in the EIS.

ii. *Recording in the decision how the EIS was used.* The new regulations require agencies to point out in the EIS analysis of alternatives which one is preferable on environmental grounds—including the often-overlooked alternative of no action at all. (However, if "no action" is identified as environmentally preferable, a second-best alternative must also be pointed out.)

Agencies must also produce a concise public record, indicating how the EIS was used in arriving at the decision. If the EIS is disregarded, it really is useless paperwork. It only contributes if it is used by the decisionmaker and the public. The record must state what the final decision was; whether the environmentally preferable alternative was selected; and if not, what considerations of national policy led to another choice.

iii. *Insure follow-up of agency decisions.* When an agency requires environmentally protective mitigation measures in its decision, the regulations provide for means to ensure that these measures are monitored and implemented.

Taken altogether, the regulations aim for a streamlined process, but one which as a broader purpose than the Guidelines they replace. The Guidelines emphasized a single document, the EIS, while the regulations emphasize the entire NEPA process, from

early planning through assessment and EIS preparation through provisions for follow-up. They attempt to gear means to ends—to insure that the action-forcing procedures of sec. 102(2) of NEPA are used by agencies to fulfill the requirements of the Congressionally mandated policy set out in sec. 101 of the Act. Furthermore, the regulations are uniform, applying in the same way to all federal agencies, although each agency will develop its own procedures for implementing the regulations. Our attempt has been with these new regulations to carry out as faithfully as possible the original intent of Congress in enacting NEPA.

3. BACKGROUND

We have been greatly assisted in our task by the hundreds of people who responded to our call for suggestions on how to make the NEPA process work better. In public hearings which we held in June 1977, we invited testimony from a broad array of public officials, organizations, and private citizens, affirmatively involving NEPA's critics as well as its friends.

Among those represented were the U.S. Chamber of Commerce, which coordinated testimony from business; the Building and Construction Trades Department of the AFL-CIO, for labor; the National Conference of State Legislatures, for state and local governments; the Natural Resources Defense Council, for environmental groups. Scientists, scholars, and the general public were there.

There was extraordinary consensus among these diverse witnesses. All, without exception, expressed the view that NEPA benefited the public. Equally widely shared was the view that the process had become needlessly cumbersome and should be trimmed down. Witness after witness said that the length and detail of EIS's made it extremely difficult to distinguish the important from the trivial. The degree of unanimity about the good and bad points of the NEPA process was such that at one point an official spokesman for the oil industry rose to say that he adopted in its entirety the presentation of the President of the Sierra Club.

After the hearings we culled the record to organize both the problems and the solutions proposed by witnesses into a 38-page "NEPA Hearing Questionnaire." The questionnaire was sent to all witnesses, every state governor, all federal agencies, and everyone who responded to an invitation in the FEDERAL REGISTER. We received more than 300 replies, from a broad cross section of groups and individuals. By the comments we received from respondents we gauged our success in faithfully presenting the results of the public hearings. One commenter, an

electric utility official, said that for the first time in his life he knew the government was listening to him, because all the suggestions made at the hearing turned up in the questionnaire. We then collated all the responses for use in drafting the regulations.

We also met with every agency of the federal government to discuss what should be in the regulations. Guided by these extensive interactions with government agencies and the public, we prepared draft regulations which were circulated for comment to all federal agencies in December 1977. We then studied agency comments in detail, and consulted numerous federal officials with special experience in implementing the Act. Informal redrafts were circulated to the agencies with greatest experience in preparing environmental impact statements. Improvements from our December 12 draft reflect this process.

At the same time that federal agencies were reviewing the early draft, we continued to meet with, listen to, and brief members of the public, including representatives of business, labor, state and local governments, environmental groups and others. We also considered seriously and proposed in our regulations virtually every major recommendation made by the Commission on Federal Paperwork and the General Accounting Office in their recent studies on the environmental impact statement process. The studies by these two independent bodies were among the most detailed and informed reviews of the paperwork abuses of the impact statement process. In many cases, such as streamlining intergovernmental coordination, the proposed regulations go further than their recommendations.

4. EXCLUSION

It should be noted that the issue of application of NEPA to environmental effects occurring outside the United States is the subject of continued discussions within the government and is not addressed in these regulations. Affected agencies continue to hold different views on this issue. Nothing in these regulations should be construed as asserting that NEPA either does or does not apply in this situation.

5. ANALYSIS AND ASSESSMENT OF THE REGULATIONS

Since Executive Order 12044 became effective on March 23, 1978, after the Council's draft NEPA regulations had completed interagency review, the extent to which Executive Order 12044 applies to the Council's nearly completed process of developing NEPA regulations is not clear. Nevertheless, the requirements of Executive Order 12044 have been undertaken to the fullest extent possible. The analy-

ses required by sections 2 (b), (c), (d), and 3(b), to the extent they may apply to the Council's proposed NEPA regulations, are available on request.

The Council has prepared a special environmental assessment of these regulations to illustrate the analysis that is appropriate under NEPA. The assessment discusses alternative regulatory approaches. Some regulations lend themselves to an analysis of their environmental impacts, particularly regulations with substantive requirements of those which apply to a physical setting. Although the Council obviously believes that its regulations will work to improve environmental quality, the impacts of procedural regulations of this kind are not susceptible to detailed analysis beyond that set out in the assessment.

Both the analyses under Executive Order 12044 and the assessment described above are available on request. Comments may be made on both documents in the same manner and by the same time as the comments on the regulations.

6. ADDITIONAL SUBJECTS FOR COMMENTS

Several issues have been brought to our attention as appropriate subjects to be covered in the regulations. They are difficult issues on which we particularly solicit thoughtful views.

a. *Data bank.* Many were intrigued by the idea of a national data bank in which information developed in one EIS would be stored and become available for use in a subsequent EIS. Public comment on the questionnaire led us to conclude, reluctantly, that the idea is impractical. In practice most environmental information is specific to given areas or activities. To assemble a nationwide data bank would demand financial and other resources that are simply beyond the benefits that may be achieved. We have not included a data bank in these regulations but have instead tried to insure that in the scoping process the preparers of one EIS become aware of all related EISs so they can make use of the information in them. We would, however, welcome comment on this subject.

b. *Encouragement for agencies to fund public comments on EISs when an important viewpoint would otherwise not be presented.* The Council has been urged to provide either encouragement or direction to agencies, as part of their routine EIS preparation, to provide funds to responsible groups for public comments when important viewpoints would not otherwise be presented. Although we are acutely aware of the importance of comments to the success of the EIS process, we have not included such a provision. We would welcome comment on this subject also.

CONCLUSION

We look forward to your comments and help. To repeat, comments should be sent by August 11, 1978, to Nicholas C. Yost, General Counsel, Attention: NEPA Comments, Council on Environmental Quality, 722 Jackson Place NW., Washington, D.C. 20006.

Thank you for cooperating with us.

CHARLES WARREN,
Chairman.

Title 40 Chapter V is proposed to be amended by revising Part 1500 and by adding Parts 1501 through 1508 to read as follows:

PART 1500—PURPOSE, POLICY, AND MANDATE

Sec.	
1500.1	Purpose.
1500.2	Policy.
1500.3	Mandate.
1500.4	Reducing paperwork.
1500.5	Reducing delay.
1500.6	Agency authority.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970 as amended by Executive Order 11991, May 24, 1977).

§ 1500.1 Purpose.

(a) The National Environmental Policy Act (NEPA) is our basic national charter for protection of the environment. It establishes policy, sets goals (section 101), and provides means (section 102) for carrying out the policy. Section 102(2) contains "action-forcing" provisions to make sure that federal agencies act according to the letter and spirit of the Act. The regulations that follow implement Section 102(2). Their purpose is to tell federal agencies what they must do to comply with the procedures and achieve the goals of the Act. The President, the federal agencies, and the courts share responsibility for enforcing the Act so as to achieve the substantive requirements of section 101.

(b) NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA. Most important, NEPA documents must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail.

(c) Ultimately, of course, it is not better documents but better decisions that count. NEPA's purpose is not generate paperwork—even excellent paperwork—but to foster excellent

action. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment. These regulations provide the direction to achieve this purpose.

§ 1500.2 Policy.

Federal agencies shall to the fullest extent possible:

(a) Interpret and administer the policies, regulations, and public laws of the United States in accordance with the policies set forth in the Act and in these regulations.

(b) Implement procedures to make the NEPA process more useful to decisionmakers and the public; to reduce paperwork and the accumulation of extraneous background data; and to emphasize real environmental issues and alternatives. Environmental impact statements shall be concise, clear, and to the point, and shall be supported by evidence that agencies have made the necessary environmental analyses.

(c) Integrate the requirements of NEPA with other planning and environmental review procedures required by law or by agency practice so that all such procedures run concurrently, rather than consecutively.

(d) Encourage and facilitate public involvement in decisions which affect the quality of the human environment.

(e) Use the NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.

(f) Use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment.

§ 1500.3 Mandate.

Parts 1500-1508 of this Title provide regulations applicable to and binding on all Federal agencies for implementing the procedural provisions of the National Environmental Policy Act of 1969, as amended (Pub. L. 91-190, 42 U.S.C. 4321 et seq.) (NEPA or the Act) except where compliance would be inconsistent with other statutory requirements. These regulations are issued pursuant to NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Ex-

ecutive Order 11991, May 24, 1977). These regulations, unlike the predecessor guidelines, are not confined to Sec. 102(2)(C) (environmental impact statements). The regulations apply to the whole of section 102(2). The provisions of the Act and of these regulations must be read together as a whole in order to comply with the spirit and letter of the law. It is the Council's intention that judicial review of agency compliance with these regulations not occur before an agency has filed the final environmental impact statement, or has made a finding of no significant impact, or takes action that will result in irreparable injury.

§ 1500.4 Reducing paperwork.

Agencies shall reduce excess paperwork by:

(a) Reducing the length of environmental impact statements (§ 1502.2(c)), by means such as setting appropriate page limits (§ 1501.7(b)(1) and 1502.7).

(b) Preparing analytic rather than encyclopedic environmental impact statements (§ 1502.2(a)).

(c) Discussing only briefly issues other than significant ones (§ 1502.2(b)).

(d) Writing environmental impact statements in plain language (§ 1502.8).

(e) Following a clear format for environmental impact statements (§ 1502.10).

(f) Emphasizing the portions of the environmental impact statement that are useful to decisionmakers and the public (§§ 1502.14 and 1502.15) and reducing emphasis on background material (§ 1502.16).

(g) Using the scoping process not only to identify significant environmental issues deserving of study, but also to deemphasize insignificant issues, narrowing the scope of the environmental impact statement process accordingly (§ 1501.7).

(h) Summarizing the environmental impact statement (§ 1502.12) and circulating the summary instead of the entire environmental impact statement if the latter is unusually long (§ 1502.19).

(i) Using program, policy, or plan environmental impact statements and tiering from statements of broad scope to those of narrower scope to eliminate repetitive discussions of the same issues (§§ 1502.4 and 1502.20).

(j) Incorporating by reference (§ 1502.21).

(k) Integrating NEPA requirements with other environmental review and consultation requirements (§ 1502.25).

(l) Requiring comments to be as specific as possible (§ 1503.3).

(m) Attaching and circulating only changes to the draft environmental impact statement, rather than rewriting and circulating the entire statement when changes are minor (§ 1503.4(b)).

(n) Eliminating duplication with State and local procedures by providing for joint preparation (§ 1506.2) and with other Federal procedures by providing for one agency's adoption of appropriate environmental documents prepared by another agency (§ 1506.3).

(o) Combining environmental documents with other documents (§ 1506.4).

(p) Using categorical exclusions to exclude from environmental impact statement requirements categories of actions which do not individually or cumulatively have a significant effect on the human environment (§ 1508.4).

(q) Using a finding of no significant impact and not preparing an environmental impact statement when an action not otherwise excluded will not have a significant effect on the human environment (§ 1508.13).

§ 1500.5 Reducing delay.

Agencies shall reduce delay by:

(a) Integrating the NEPA process into early planning (§ 1501.2).

(b) Emphasizing interagency cooperation before the environmental impact statement is prepared rather than adversary comments on a completed document (§ 1501.6).

(c) Insuring the swift and fair resolution of lead agency disputes (§ 1501.5).

(d) Using the scoping process for an early identification of what are and what are not the real issues (§ 1501.7).

(e) Establishing appropriate time limits for the environmental impact statement process (§§ 1501.7(b)(2) and 1501.8).

(f) Preparing environmental impact statements early in the process (§ 1502.5).

(g) Integrating NEPA requirements with other environmental review and consultation requirements (§ 1502.25).

(h) Eliminating duplication with State and local procedures by providing for joint preparation (§ 1506.2) and with other Federal procedures by providing for one agency's adoption of appropriate environmental documents prepared by another agency (§ 1506.3).

(i) Combining environmental documents with other documents (§ 1506.4).

(j) Using accelerated procedures for proposals for legislation (§ 1506.8).

(k) Using categorical exclusions to exclude from environmental impact statement requirements categories of actions which do not individually or cumulatively have a significant effect on the human environment (§ 1508.4).

(l) Using a finding of no significant impact and not preparing an environmental impact statement when an action not otherwise excluded will not have a significant effect on the human environment (§ 1508.13).

§ 1500.6 Agency authority.

Each agency shall interpret the provisions of the Act as a supplement to

its existing authority and as a mandate to view traditional policies and missions in the light of the Act's national environmental objectives. Agencies shall review their policies, procedures, and regulations accordingly and revise them as necessary to ensure full compliance with the purposes and provisions of the Act. The phrase "to the fullest extent possible" in section 102 means that each agency of the Federal Government shall comply with that section unless existing law applicable to the agency's operations expressly prohibits or makes compliance impossible.

PART 1501—NEPA AND AGENCY PLANNING

Sec.

1501.1 Purpose.

1501.2 Apply NEPA early in process.

1501.3 When to prepare an environmental assessment.

1501.4 Whether to prepare an environmental impact statement.

1501.5 Lead agencies.

1501.6 Cooperating agencies.

1501.7 Scoping.

1501.8 Time limits.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May, 24, 1977).

§ 1501.1 Purpose.

The purposes of this part include:

(a) Integrating the NEPA process into early planning to insure appropriate consideration of NEPA's policies and to eliminate delay.

(b) Emphasizing cooperative consultation among agencies before the environmental impact statement is prepared rather than adversary comments on a completed document.

(c) Providing for the swift and fair resolution of lead agency disputes.

(d) Identifying at an early stage the significant environmental issues deserving of study and deemphasizing insignificant issues, narrowing the scope of the environmental impact statement accordingly.

(e) Providing a mechanism for putting appropriate time limits on the environmental impact statement process.

§ 1501.2 Apply NEPA early in process.

Agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts. Each agency shall:

(a) As specified by § 1507.2 comply with the mandate of sec. 102(2)(A) to "utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social

sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment."

(b) Identify environmental effects and values in adequate detail so they can be compared to economic and technical analyses. Environmental documents and appropriate analyses shall be circulated and reviewed at the same time as other planning documents.

(c) Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources as provided by sec. 102(2)(E) of the Act.

(d) Provide for cases where actions are planned by other than Federal agencies before Federal involvement so that:

(1) The sponsor of the proposal initiates studies if Federal involvement is foreseeable.

(2) The Federal agency consults early with appropriate State and local agencies and with interested private persons and organizations when its own involvement is reasonably foreseeable.

(3) The Federal agency commences its NEPA process at the earliest possible time.

§ 1501.3 When to prepare an environmental assessment.

An environmental assessment (§ 1508.9) shall be prepared unless one is not necessary under the procedures adopted under § 1507.3(b). Agencies may prepare an assessment on any action at any time in order to assist agency planning and decisionmaking.

§ 1501.4 Whether to prepare an environmental impact statement.

In determining whether to prepare an environmental impact statement the Federal agency shall:

(a) Determine under § 1507.3 whether the proposal is one which

(1) Normally requires an environmental impact statement, or

(2) Normally does not require either an environmental impact statement or an environmental assessment (categorical exclusion).

(b) If the proposed action is not covered by paragraph (a), prepare an environmental assessment (§ 1508.9). The agency shall involve environmental agencies and the public, to the extent practicable, in preparing the assessment.

(c) Based on the environmental assessment make its determination whether to prepare an environmental impact statement.

(d) If the agency will prepare an environmental impact statement, the agency shall commence the scoping process (§ 1501.7).

(e) If the agency determines on the basis of the environmental assessment not to prepare a statement, the agency shall prepare a finding of no significant impact (§ 1508.13).

(1) The agency shall make the finding of no significant impact available in a manner calculated to inform the affected public as specified in § 1506.6.

(2) In certain limited circumstances the agency shall make the finding of no significant impact available for public review for 30 days before the agency makes its final determination whether to prepare an environmental impact statement and before the action may begin. The circumstances are:

(i) The proposed action is, or is closely similar to, one which normally requires the preparation of an environmental impact statement under the procedures adopted by the agency pursuant to section 1507.3(b), or

(ii) The nature of the proposed action is one without precedent.

§ 1501.5 Lead agencies.

(a) A lead agency shall supervise the preparation of an environmental impact statement if more than one Federal agency either:

(1) Proposes or is involved in the same action; or

(2) Is involved in a group of actions directly related to each other because of their functional interdependence or geographical proximity.

(b) More than one Federal, State, or local agency, one of which must be Federal, may act as joint lead agencies to prepare an environmental impact statement (section 1506.2).

(c) If an action satisfies the provisions of paragraph (a) of this section the potential lead agencies concerned shall determine by letter or memorandum which agency shall be the lead agency and which shall be cooperating agencies. The agencies shall resolve the lead agency question in a manner that will not cause delay. If there is disagreement among the agencies, the following factors (which are listed in descending importance) shall determine lead agency designation:

(1) Magnitude of agency's involvement.

(2) Project approval/disapproval authority.

(3) Expertise concerning the action's environmental effects.

(4) Duration of agency's involvement.

(5) Sequence of agency's involvement.

(d) If potential lead agencies fail to agree on which agency shall be the lead agency as specified in paragraph (c) of this section, (1) any Federal agency or (2) any State or local agency or private person substantially affected by the absence of agreement on lead agency designation may make a

written request to the potential lead agencies that a lead agency be designated.

(e) If Federal agencies are unable to agree on which agency will be the lead agency or if the procedure described in paragraph (d) of this section has not resulted within a reasonable time in a lead agency designation, any of the agencies or persons concerned may file a request with the Council asking it to determine which Federal agency shall be the lead agency.

A copy of the request shall be transmitted to each potential lead agency. The request shall consist of:

(1) A precise description of the nature and extent of the proposed action;

(2) A detailed statement of why each potential lead agency should or should not be the lead agency under the criteria specified in subparagraph (2).

(f) A response may be filed by any potential lead agency concerned within 20 days after a request is filed with the Council. The Council shall determine within 20 days after receiving the request and all responses which Federal agency shall be the lead agency and the extent to which the other Federal agencies concerned shall be cooperating Federal agencies.

§ 1501.6 Cooperating agencies.

The purpose of this section is to emphasize agency cooperation early in the NEPA process. Upon request of the lead agency, any other Federal agency which has jurisdiction by law shall be a cooperating agency. In addition any other Federal agency which has special expertise with respect to any environmental issue, which should be addressed in the statement may be a cooperating agency upon request of the lead agency.

(a) The lead agency shall:

(1) Request the participation of each cooperating agency in the NEPA process at the earliest possible time.

(2) To the maximum extent possible consistent with its responsibility as lead agency use the environmental analysis and proposals of cooperating agencies with jurisdiction by law or special expertise.

(3) Meet with a cooperating agency at the latter's request.

(b) Each cooperating agency shall:

(1) Participate in the NEPA process at the earliest possible time.

(2) Participate in the scoping process.

(3) Assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.

(4) Make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability.

(5) Normally a cooperating agency shall use its own funds. The lead agency shall, to the extent available funds permit, fund those major activities or analyses it requests from cooperating agencies. Potential lead agencies shall include such funding requirements in their budget requests.

§ 1501.7 Scoping.

There shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues. This process shall be termed scoping. As soon as practicable after its decision to prepare an environmental impact statement and before the scoping process the lead agency shall publish a notice of intent (§ 1508.21) in the FEDERAL REGISTER.

(a) As part of the scoping process the lead agency shall:

(1) Invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, the proponent of the action, and other interested persons (including those who might not be in accord with the action).

(2) Determine the scope (§ 1508.24) and the significant issues to be analyzed in depth in the environmental impact statement.

(3) Identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (§ 1506.3), narrowing the discussion of these issues in the statement to a brief presentation of why they will not have a significant effect on the human environment or a reference to their coverage elsewhere.

(4) Allocate assignments for preparation of the environmental impact statement among the lead and cooperating agencies, with the lead agency retaining responsibility for the statement.

(5) Indicate any environmental assessments and other environmental impact statements which are being or will be prepared that are related to but are not part of the scope of the impact statement which is the subject of the meeting.

(6) Identify other environmental review and consultation requirements so the lead and cooperating agencies may comply with section 1502.25.

(7) Indicate the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

(8) When practicable hold an early scoping meeting or meetings which may be integrated with any other early planning meeting the agency has. Such scoping meeting will often be appropriate when the impacts of a particular action are confined to specific sites.

(b) As part of the scoping process the lead agency may:

(1) Set page limits on environmental documents (§ 1502.7).

(2) Set time limits (§ 1501.8).

(c) An agency shall revise the determinations made under paragraphs (a) and (b) of this section if substantial changes are made later in the proposed action or if significant new circumstances (including information) arise which bear on the proposal or its impacts.

§ 1501.8 Time limits.

Although the Council has decided that universal time limits for the entire NEPA process are too inflexible to prescribe, Federal agencies are encouraged to set time limits appropriate to individual action (consistent with § 1506.10). When multiple agencies are involved the reference to agency below means lead agency.

(a) The agency shall:

(1) Consider the following factors in determining time limits:

(i) Potential for environmental harm.

(ii) Size of the proposed action.

(iii) State of the art of analytic techniques.

(iv) Degree of public need for the proposed actions, including the consequences of delay.

(v) Number of persons and agencies affected.

(vi) Degree to which relevant information is known and if not known the time required for obtaining it.

(vii) Degree to which the action is controversial.

(2) Set limits if an applicant for the proposed action requests them, provided that they are consistent with the purposes of NEPA and other essential considerations of national policy.

(b) The agency may:

(1) Set overall time limits or limits for each constituent part of the NEPA process, which may include:

(i) Decision on whether to prepare an environmental impact statement (if not already decided).

(ii) Determination of the scope of the environmental impact statement.

(iii) Preparation of the draft environmental impact statement.

(iv) Review of any comments on the draft environmental impact statement from the public and agencies.

(v) Preparation of the final environmental impact statement.

(vi) Review of any comments on the final environmental impact statement.

(vii) Decision on the action based in part on the environmental impact statement.

(2) Designate a person (such as the project manager or a person in the agency's office with NEPA responsibilities) to expedite the NEPA process.

(c) State or local agencies or members of the public may request a Federal Agency to set time limits.

PART 1502—ENVIRONMENTAL IMPACT STATEMENT

- Sec.
 1502.1 Purpose.
 1502.2 Implementation.
 1502.3 Statutory Requirements for Statements.
 1502.4 Major Federal Actions Requiring the Preparation of Environmental Impact Statements.
 1502.5 Timing.
 1502.6 Interdisciplinary Preparation.
 1502.7 Page Limits.
 1502.8 Writing.
 1502.9 Draft, Final, and Supplemental Statements.
 1502.10 Recommended Format.
 1502.11 Cover Sheet.
 1502.12 Summary.
 1502.13 Purpose and Need.
 1502.14 Alternatives Including the Proposed Action.
 1502.15 Environmental Consequences.
 1502.16 Affected Environment.
 1502.17 List of Preparers.
 1502.18 Appendix.
 1502.19 Circulation of the Environmental Impact Statement.
 1502.20 Tiering.
 1502.21 Incorporation by Reference.
 1502.22 Incomplete or Unavailable Information.
 1502.23 Cost-Benefit Analysis.
 1502.24 Methodology and Scientific Accuracy.
 1502.25 Environmental Review and Consultation Requirements.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1502.1 Purpose.

The primary purpose of an environmental impact statement is as an action-forcing device to insure that the policies and goals defined in the Act are infused into the ongoing programs and actions of the Federal Government. It shall provide full and fair discussion of significant environmental impacts and shall inform decision-makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment. Agencies shall focus on significant environmental issues and alternatives and shall reduce paperwork and the accumulation of extraneous background data. Statements shall be concise, clear, and to the point, and shall be supported by evidence that the agency has made the necessary environmental analyses. An environmental impact statement is more than a disclosure document. It shall be used by Federal officials in conjunction with other relevant material to plan actions and make decisions.

§ 1502.2 Implementation.

To achieve the purposes set forth in § 1502.1 agencies shall prepare envi-

ronmental impact statements in the following manner:

(a) Environmental impact statements shall be analytic rather than encyclopedic.

(b) Impacts shall be discussed in proportion to their significance. There shall be only brief discussion of other than significant issues. As in a finding of no significant impact, there should be only enough discussion to show why more study is not warranted.

(c) Environmental impact statements shall be kept concise and shall be no longer than absolutely necessary to comply with NEPA with these regulations. Length should vary first with potential environmental problems and then with project size.

(d) Environmental impact statements shall state how alternatives considered in it and decisions based on it will or will not achieve the requirements of sections 101 and 102(1) of the Act and other environmental laws and policies.

(e) The range of alternatives discussed in environmental impact statements shall encompass those the ultimate agency decisionmaker considers.

(f) Agencies shall not commit resources prejudicing selection of alternatives before making a final decision (§ 1506.1).

(g) Environmental impact statements shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made.

§ 1502.3 Statutory requirements for statements.

As required by sec. 102(2)(C) of NEPA environmental impact statements (§ 1508.11) are to be included in every recommendation or report

On proposals (§ 1508.22).

For legislation and (§ 1508.16).

Other major Federal actions (§ 1508.17).

Significantly (§ 1508.25).

Affecting (§§ 1508.3, 1508.8).

The quality of the human environment (§ 1508.14).

§ 1502.4 Major Federal actions requiring the preparation of environmental impact statements.

(a) Agencies shall make sure the proposal which is the subject of an environmental impact statement is properly defined. Agencies shall use the criteria for scope (§ 1508.24) to determine which proposal(s) shall be the subject of a particular statement. Proposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement.

(b) Environmental impact statements may be prepared, and are sometimes required, for broad Federal actions such as the adoption of new

agency programs or regulations (§ 1508.17). Agencies shall prepare statements on broad actions to be relevant to policy and timed to coincide with meaningful points in agency planning and decisionmaking.

(c) When preparing statements on broad actions, agencies may find it useful to evaluate the proposal(s) by one or more agencies in one of the following ways:

(1) Geographic, including actions occurring in the same general location, such as an ocean, region, or metropolitan area.

(2) Generic, including actions which have relevant similarities, such as common timing, impacts, alternatives, methods of implementation, media, or subject matter.

(3) Technological development including federal or federally assisted research, development or demonstration programs aimed at developing new technologies which, if applied, could significantly affect the quality of the human environment. Statements shall be prepared on such programs and shall be available before the program has reached a stage of investment or commitment to implementation likely to determine subsequent development or restrict later alternatives.

(d) Agencies shall as appropriate employ scoping (§ 1501.7), tiering (§ 1502.20), and other methods listed in §§ 1500.4 and 1500.5 to relate broad and narrow actions and to avoid duplication and delay.

§ 1502.5 Timing.

An agency shall commence preparation of an environmental impact statement as close as possible to the time the agency makes or is presented with a proposal (§ 1508.22) so that preparation can be completed in time for the final statement to be included in any recommendation or report on the proposal. The statement shall be prepared early enough so that it can practically serve as an important contribution to the decisionmaking process and shall not be used to rationalize or justify decisions already made (§§ 1500.2(c), 1501.2, and 1502.2). For instance:

(a) For projects directly undertaken by Federal agencies such statements shall be prepared at the feasibility analysis (go-no go) stage and may be supplemented at a later stage if necessary

(b) For applications to the agency appropriate preliminary environmental assessments or statements shall be commenced at the latest immediately after the application is received, but federal agencies are encouraged to prepare them earlier, preferably jointly with applicable State or local agencies.

(c) For adjudication, the final environmental impact statement shall nor-

mally precede the final staff recommendation and that portion of the public hearing related to the impact study. In appropriate circumstances the statement may follow preliminary hearings designed to gather information for use in the statements.

§ 1502.6 Interdisciplinary preparation.

Environmental impact statements shall be prepared using an interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts (section 102(2)(A) of the Act). The disciplines of the preparers shall be correlated to the scope and issues identified in the scoping process (§ 1501.7).

§ 1502.7 Page limits.

The text of final environmental impact statements (e.g., paragraphs (d) through (g) of § 1502.10) shall normally be less than 150 pages and for proposals of unusual scope or complexity shall normally be less than 300 pages.

§ 1502.8 Writing.

Environmental impact statements shall be written in plain language and may use appropriate graphics so that they may be understood by decision-makers and the public. Agencies should employ writers of clear prose or editors to write, review, or edit statements, which will be based upon the analysis and supporting data from the natural and social sciences and the environmental design arts.

§ 1502.9 Draft, final, and supplemental statements.

Except as provided in § 1506.8, environmental impact statements shall be prepared in two stages and may be supplemented.

(a) Draft environmental impact statements shall be prepared in accordance with the scope decided upon in the scoping process. The lead agency shall work with the cooperating agencies and shall obtain comments as required in Part 1503. At the time the draft statement is prepared it must fulfill and satisfy to the fullest extent possible the requirements established for final statements in section 102(2)(C) of the Act. If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. In the draft statement the agency shall make every effort to disclose and discuss at appropriate points in the text all major points of view on the environmental impacts of the alternatives including the proposed action.

(b) Final environmental impact statements shall respond to comments as required in Part 1503. In the final statement the agency shall discuss at

appropriate points in the text the existence of any responsible opposing view not adequately discussed in the draft statement and shall indicate the agency's response to the issues raised.

(c) Agencies:

(1) Shall prepare supplements to either draft or final environmental impact statements if:

(i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or

(ii) There are significant new circumstances, relevant to environmental concerns (including information), bearing on the proposed action or its impacts.

(2) May also prepare supplements when the agency determines that the purposes of the Act will be furthered by doing so.

(3) Shall adopt procedures for introducing a supplement into its formal administrative record, if such a record exists.

(4) Shall prepare, circulate, and file a supplement to a statement in the same fashion (exclusive of scoping) as a draft statement unless alternative procedures are approved by the Council.

§ 1502.10 Recommended format.

Agencies shall use a format for environmental impact statements which will encourage good analysis and clear presentation of the alternatives including the proposed actions. The following standard format for environmental impact statements should be followed unless there is a compelling reason to do otherwise:

- (a) Cover sheet
- (b) Summary
- (c) Table of Contents
- (d) Purpose of and Need for Action
- (e) Alternatives Including Proposed Action (secs. 102(2)(C)(iii) and 102(2)(E) of the Act).
- (f) Environmental Consequences (especially secs. 102(2)(C) (i), (ii), (iv), and (v) of the Act.
- (g) Affected Environment.
- (h) List of Preparers.
- (i) List of Agencies, Organizations, and Persons to Whom Copies of the Statement Are Sent.
- (j) Index.
- (k) Appendices (if any).

If a different format is used, it shall include paragraphs (a), (b), (c), (h), (i), and (j), of this section and shall include the substance of paragraphs (d), (e), (f), (g), and (k) of this section as further described in §§ 1502.11-1502.18 in any appropriate format.

§ 1502.11 Cover sheet.

The cover sheet shall not exceed one page. It shall include:

(a) The name of the responsible agencies including the lead agency and any cooperating agencies.

(b) The name of the proposed action that is the subject of the statement (and if appropriate the names of related cooperating agency actions), together with the State(s) and county(ies) (or the country if applicable) where the action is located.

(c) The name, address, and telephone number of the person at the agency who can supply further information.

(d) A designation of the statement as a draft, final, or draft or final supplement.

(e) A one paragraph abstract of the statement.

(f) The date by which comments must be received (computed in cooperation with EPA § 1506.10)).

§ 1502.12 Summary.

Each environmental impact statement shall contain a summary which adequately and accurately summarizes the statement. The summary shall stress the major conclusions, areas of controversy (including issues raised by agencies and the public), and the issues to be resolved (including the choice among alternatives). The summary will normally not exceed 15 pages.

§ 1502.13 Purpose and need.

The statement shall briefly specify the underlying purpose and need to which the agency is responding in proposing the action and alternatives. Normally this section shall not exceed one page.

§ 1502.14 Alternatives including the proposed action.

This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Environmental Consequences (§ 1502.15) and the Affected Environment (§ 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharpening the issues and providing a clear basis for choice among options by the decisionmaker and the public. In this section agencies shall:

(a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for such elimination.

(b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate the comparative merits.

(c) Include reasonable alternatives not within the jurisdiction of the lead agency.

(d) Include the no action alternative.

(e) Identify the environmentally preferable alternative (or alternatives if two or more are equally preferable) and the reasons for identifying it. If

the alternative identified is for no action, the agency shall also identify the alternative other than no action that is environmentally preferable and the reasons for identifying it.

(f) Identify the agency's preferred alternative or alternatives if one or more exists in the draft statement and identify such alternative(s) in the final statement unless another law prohibits the expression of such a preference.

(g) Include appropriate mitigation measures not already included in the proposed action or alternatives.

§ 1502.15 Environmental consequences.

This section forms the scientific and analytic basis for the comparisons under § 1502.14. It shall consolidate the discussions of those elements required by secs. 102(2)(C) (i), (ii), (iv), and (v) of NEPA which are within the scope of the statement and as much of sec. 102(2)(C)(iii) as is necessary to support the comparisons. This includes the environmental impacts of the proposed action and alternatives, any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and any irreversible or irretrievable commitments of resources which would be involved in the proposed action should it be implemented. The Council intends that preparers not cause duplication in the discussions under § 1502.14 and this section. This section shall include discussions of:

(a) Direct effects and their significance (§ 1508.8).

(b) Indirect effects and their significance (§ 1508.8).

(c) Possible conflicts between the proposed action and the objectives of Federal, regional, State, and local land use plans, policies, and controls for the area concerned.

(d) The environmental effects of alternatives including the proposed action. The comparisons under § 1502.14 will be based on this discussion.

(e) Energy requirements and conservation potential of various alternatives and mitigation measures.

(f) Natural or depletable resource requirements and conservation potential of various alternatives and mitigation measures.

(g) Means to mitigate adverse environmental impacts (if not fully covered under § 1502.14(g)).

§ 1502.16 Affected environment.

The environmental impact statement shall succinctly describe the environment of the area or areas to be affected by the alternatives under consideration. The descriptions shall be no longer than is necessary to under-

stand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced. Agencies shall avoid useless bulk in statements and shall concentrate effort and attention on important issues. Verbose descriptions of the affected environment are themselves no measure of the adequacy of an environmental impact statement.

§ 1502.17 List of preparers.

The environmental impact statement shall list the names, together with their qualifications and professional disciplines (§ 1502.6 and 1502.8), of the persons who were primarily responsible for preparing the environmental impact statement or significant background papers, including basic components of the statement. Where possible the names of persons who are responsible for a particular analysis, including analyses in background papers, shall be identified. Normally the list will not exceed two pages.

§ 1502.18 Appendix.

If an agency prepares an appendix to an environmental impact statement the appendix shall:

(a) Consist of material prepared in connection with an environmental impact statement (as distinct from material which is not so prepared and which is incorporated by reference § 1502.21).

(b) Normally consist of material which substantiates any analysis fundamental to the impact statement.

(c) Normally be analytic and relevant to the decision to be made.

(d) Be circulated with the environmental impact statement or be readily available on request.

§ 1502.19 Circulation of the environmental impact statement.

Agencies shall circulate the entire draft and final environmental impact statements except as provided in § 1502.18(d) and 1503.4(c). However, if the statement is unusually long, the agency may circulate the summary instead, except that the entire statement shall be furnished to:

(a) Any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved and any appropriate Federal, State or local agency authorized to develop and enforce environmental standards.

(b) Any person, organization, or agency requesting the entire environmental impact statement.

(c) In the case of a final environmental impact statement any person, organization, or agency which submitted substantive comments on the draft.

If the agency circulates the summary and thereafter receives a timely

request for the entire statement, the time for comment for that requestor only shall be extended by at least 15 days beyond the minimum period.

§ 1502.20 Tiering.

Agencies are encouraged to tier their environmental impact statements to eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review (§ 1508.26). Whenever a broad environmental impact statement has been prepared (such as a program or policy statement) and a subsequent statement or environmental assessment is then prepared on an action included within the entire program or policy (such as a site specific action) the subsequent statement or environmental assessment need only summarize the issues discussed in the broader statement and incorporate such discussions by reference and shall concentrate on the issues specific to the subsequent action. Tiering may also be appropriate for different stages of actions. (Section 1508.26.)

§ 1502.21 Incorporation by reference.

Agencies shall incorporate material into an environmental impact statement by reference when to do so will cut down on bulk without impeding agency and public review of the action. The incorporated material shall be cited in the statement and its content briefly described. No material may be incorporated by reference unless it is reasonably available for inspection by potentially interested persons within the time allowed for comment. Material based on proprietary data which is itself not available for review and comment shall not be incorporated by reference.

§ 1502.22 Incomplete or unavailable information.

Agencies dealing with gaps in relevant information including scientific uncertainty, shall always make clear that such information is lacking or that uncertainty exists.

(a) If the information is essential to a reasoned choice among alternatives and is not known and the costs of obtaining it are not exorbitant, the agency shall include the information in the environmental impact statement.

(b) If the information is important to the decision and the means to obtain it are not known (e.g., the means for obtaining it are beyond the state of the art) the agency shall weigh the need for the action against the risk and severity of possible adverse impacts were the action to proceed in the face of uncertainty. If the agency proceeds, it shall include a worst case analysis.

§ 1502.23 Cost-benefit analysis.

If a cost-benefit analysis is being considered for the proposed action, it shall be incorporated by reference or appended to the statement as an aid in evaluating the environmental consequences. To assess the adequacy of compliance with sec. 102(2)(B) of the Act the statement shall when a cost-benefit analysis is prepared discuss the relationship between that analysis and any analyses of unquantified environmental impacts, values, and amenities.

§ 1502.24 Methodology and scientific accuracy.

Agencies shall insure the professional, including scientific, integrity of the discussions and analyses in environmental impact statements. They shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement.

§ 1502.25 Environmental review and consultation requirements.

To the fullest extent possible, agencies shall prepare draft environmental impact statements concurrently with and integrated with environmental impact analyses and related surveys and studies required by the Fish and Wildlife Coordination Act (16 U.S.C. Sec. 661 et seq.) the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470 et seq.), the Endangered Species Act of 1972 (16 U.S.C. Sec. 1531 et seq.) and other environmental review laws.

PART 1503—COMMENTING

Sec.

1503.1 Inviting Comments.

1503.2 Duty to Comment.

1503.3 Specificity of Comments.

1503.4 Response to Comments.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1503.1 Inviting comments.

(a) After preparing a draft environmental impact statement and before preparing a final environmental impact statement the agency shall:

(1) Obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved or which is authorized to develop and enforce environmental standards.

(2) Request the comments of appropriate State and local agencies which are authorized to develop and enforce environmental standards, or any agency which has requested that it re-

ceive statements on actions of the kind proposed.

(3) Request comments from the public, affirmatively soliciting comments from those persons or organizations who may be interested or affected.

(b) After preparing a final environmental impact statement an agency may request comments on it before the decision is finally made. In any case other agencies or persons may make comments before the final decision unless a different time is provided under § 1506.10.

§ 1503.2 Duty to comment.

Federal agencies with jurisdiction by law or special expertise with respect to any environmental impact involved or which are authorized to develop and enforce environmental standards shall comment on statements within their jurisdiction, expertise, or authority. A Federal agency may (and a cooperating agency that is satisfied that its views are adequately reflected in the environmental impact statement would) reply that it has no comment.

§ 1503.3 Specificity of comments.

Comments on an environmental impact statement or on a proposed action shall be as specific as possible and may address either the adequacy of the statement or the merits of the alternatives discussed or both. When a commenting agency criticizes a lead agency's predictive methodology, the commenting agency should describe the alternative methodology which it prefers and why.

§ 1503.4 Response to comments.

(a) An agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below specifying its response in the final statement. Possible responses are to:

(1) Modify the proposed action.
(2) Develop and evaluate alternatives not previously given serious consideration by the agency.
(3) Supplement, improve, or modify its analyses.

(4) Make factual corrections.

(5) Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response.

(b) All substantive comments received on the draft statement (or summaries thereof where the response has been exceptionally voluminous), should be attached to the final statement whether or not the comment is thought to merit individual discussion

by the agency in the text of the statement.

(c) If changes are minor and are confined to the responses described in paragraphs (a)(4) and (5) of this section, agencies may write them on errata sheets and attach them to the statement instead of rewriting the draft statement. In such cases only the comments, the responses, and the changes and not the final statement need be circulated (§ 1502.19). The entire document with a new cover sheet shall be filed as the final statement (§ 1506.9).

PART 1504—PREDECISION REFERRALS TO THE COUNCIL OF PROPOSED FEDERAL ACTIONS FOUND TO BE ENVIRONMENTALLY UNSATISFACTORY

Sec.

1504.1 Purpose.

1504.2 Criteria for Referral.

1504.3 Procedure for Referrals and Response.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1504.1 Purpose.

(a) This part establishes procedures for referring to the Council Federal interagency disagreements concerning proposed major Federal actions that might cause unsatisfactory environmental effects. It provides means for early resolution of such disagreements.

(b) Under section 309 of the Clean Air Act (42 U.S.C. 7609), the Administrator of the Environmental Protection Agency is directed to review and comment publicly on the environmental impacts of Federal activities, including actions for which environmental impact statements are prepared. If after this review the Administrator determines that the matter is "unsatisfactory from the standpoint of public health or welfare or environmental quality," section 309 directs that the matter be referred to the Council (hereafter "environmental referrals").

(c) Under section 102(2)(C) of the Act other Federal agencies may make similar reviews of environmental impact statements, including judgments on the acceptability of anticipated environmental impacts. These reviews must be made available to the President, the Council and the public.

§ 1504.2 Criteria for referral.

Environmental referrals should only be made to the Council after concerted, timely (as early as possible in the process), but unsuccessful attempts to resolve differences with the lead

agency. In determining what environmental objections to the matter are appropriate to refer to the Council, an agency should weigh potential adverse environmental impacts, considering:

- (a) Possible violation of national environmental standards or policies.
- (b) Severity.
- (c) Geographical scope.
- (d) Duration.
- (e) Importance as precedents.
- (f) Availability of environmentally preferable alternatives.

§ 1504.3 Procedure for referrals and response.

(a) A Federal agency making the referral to the Council shall:

(1) Advise the lead agency at the earliest possible time that it intends to refer a matter to the Council unless a satisfactory agreement is reached.

(2) Include such advice in the referring agency's comments on the draft environmental impact statement, except when the statement does not contain adequate information to permit an assessment of the matter's environmental acceptability.

(3) Identify any essential information that is lacking and request that it be made available at the earliest possible time.

(4) Send copies of such advice to the Council.

(b) The referring agency shall deliver its referral to the Council not later than twenty-five (25) days after the final environmental impact statement has been made available to the Environmental Protection Agency, commenting agencies, and the public. Except when an extension of this period has been granted by the lead agency, the council will not accept a referral after that date.

(c) The referral shall consist of:

(1) A copy of the letter signed by the head of the referring agency and delivered to the lead agency informing the lead agency of the referral and the reasons for it, and requesting that no action be taken to implement the matter until the Council acts upon the referral. The letter shall include a copy of the statement referred to in § 1504.3(c)(2) below.

(2) A statement supported by factual evidence leading to the conclusion that the matter is unsatisfactory from the standpoint of public health or welfare or environmental quality. The statement shall:

- (i) Identify any material facts in controversy and incorporate (by reference if appropriate) agreed upon facts.
- (ii) Identify any existing environmental requirements or policies which would be violated by the matter.
- (iii) Present the reasons the referring agency believes the matter is environmentally unsatisfactory.
- (iv) Contain a finding by the agency whether the issue raised is one of national importance because of the threat to national environmental resources or policies or for some other reason.

(v) Review the steps taken by the referring agency to bring its concerns to the attention of the lead agency at the earliest possible time, and

(vi) Give the referring agency's recommendations as to what mitigation alternative, further study, or other course of action (including abandonment of the matter) are necessary to remedy the situation.

(d) Not later than twenty-five (25) days after the referral to the Council, the lead agency may deliver a response to the Council and the referring agency. If the lead agency requests more time and gives assurance that the matter will not go forward in the interim, the Council may grant an extension. The response shall:

(1) Address fully the issues raised in the referral.

(2) Be supported by evidence.

(3) Give the lead agency's response to the referring agency's recommendations.

(e) Not later than twenty-five (25) days after receipt of both the referral and any response or upon being informed that there will be no response (unless the lead agency agrees to a longer time), the Council may take one or more of the following actions:

(1) Conclude that the process of referral and response has successfully resolved the problem.

(2) Initiate discussions with the agencies with the objective of mediation with referring and lead agencies.

(3) Hold public meetings or hearings to obtain additional views and information.

(4) Determine that the issue is not one of national importance and request the referring and lead agencies to pursue their decision process.

(5) Determine that the issue should be further negotiated by the referring and lead agencies and is not appropriate for Council consideration until one or more heads of agencies report to the Council that the agencies' disagreements are irreconcilable.

(6) Publish its findings and recommendations (including where appropriate a finding that the submitted evidence does not support the position of an agency).

(7) When appropriate, submit the referral and the response together with the Council's recommendation to the President for action.

PART 1505—NEPA AND AGENCY DECISIONMAKING

Sec.

1505.1 Agency decisionmaking procedures.

1505.2 Record of decision in those cases requiring environmental impact statements.

1505.3 Implementing the decision.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1501.1 Agency decisionmaking procedures.

Agencies shall adopt procedures (§ 1507.3) to ensure that decisions are made in accordance with the policies and purposes of the Act. Such procedures shall include but not be limited to:

(a) Implementing procedures under section 102(2) to achieve the requirements of sections 101 and 102(1).

(b) Designating the major decision points for the agency's principal programs likely to have a significant effect on the human environment and assuring that the NEPA process corresponds with them.

(c) Requiring that relevant environmental documents, comments, and responses be part of the record in formal rulemaking or adjudicatory proceedings.

(d) Requiring that relevant environmental documents, comments, and responses accompany the proposal through existing agency review process so that agency officials use the statement in making decisions.

(e) Requiring that the alternatives considered by the decision maker are encompassed by the range of alternatives discussed in the relevant environmental documents and that the decisionmaker consider the alternatives described in the environmental impact statement. If another decision document accompanies the relevant environmental documents to the decisionmaker, agencies are encouraged to make available to the public before the decision is made any part of that document that relates to the comparison of alternatives.

§ 1505.2 Record of decision in those cases requiring environmental impact statements.

At the same time of its decision (or, if appropriate, its recommendation to Congress) each agency shall prepare a concise public record of decision. The record, which may be integrated into any other record prepared by the agency, including that required by OMB Circular A-95, part I, sections 6 (c) and (d), and part II, section 5(b)(4), shall state:

(a) What the decision was.

(b) If an alternative other than those designated pursuant to § 1502.14(e) has been selected, the reasons why other specific considerations of national policy overrode those alternatives.

(c) Whether all practicable means to avoid or minimize environmental harm have been adopted, and if not, why they were not. For any mitigation adopted, a monitoring and enforcement program where applicable shall be adopted and summarized.

§ 1505.3 Implementing the decision.

Agencies may provide for monitoring to assure that their decisions are carried out and should do so in important cases. Mitigation (§ 1505.2(c)) and other conditions established in or during the review of the environmental impact statement and committed as part of the decision shall be implemented by the appropriate agency. The lead agency shall:

(a) Include appropriate conditions in grants, permits or other approvals.

(b) Condition funding of actions on mitigation.

(c) Upon request, inform cooperating or commenting agencies on progress in carrying out mitigation measures proposed by any such agency and adopted by the agency making the decision.

(d) Upon request, make available to the public the results of relevant monitoring.

PART 1506—OTHER REQUIREMENTS OF NEPA

Sec.

1506.1 Limitations on actions during NEPA process.

1506.2 Elimination of duplication with State and local procedures.

1506.3 Adoption.

1506.4 Combining documents.

1506.5 Agency responsibility.

1506.6 Public involvement.

1506.7 Further guidance.

1506.8 Proposals for legislation.

1506.9 Filing requirements.

1506.10 Timing of agency action.

1506.11 Emergencies.

1506.12 Effective date.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1506.1 Limitations on actions during NEPA process.

(a) Until an agency issues a record of decision as provided in § 1505.2 (except as provided in subsection (c)), no action concerning the proposal shall be taken which would:

(1) Have an adverse environmental impact; or

(2) Limit the choice of reasonable alternatives.

(b) If any agency is considering an application from a non-Federal entity, and is aware that the applicant is planning to take an action within the agency's jurisdiction that would meet either of the criteria in § 1506.1(a), then the agency shall promptly notify

the applicant that the agency will take appropriate action to insure that the objectives and procedures of NEPA are achieved.

(c) While work on a required program environmental impact statement is in progress and the action is not covered by an existing program statement, agencies shall not undertake in the interim any major Federal action which may significantly affect the quality of the human environment and which is covered by the program unless such action:

(1) Is justified independently of the program;

(2) Will not prejudice the ultimate decision on the program. Interim action prejudices the ultimate decision on the program when it tends to determine subsequent development or limit alternatives; and

(3) Is itself accompanied by an adequate environmental impact statement.

§ 1506.2 Elimination of duplication with State and local procedures.

(a) Agencies authorized by law to cooperate with State agencies of statewide jurisdiction pursuant to section 102(2)(D) of the Act may do so.

(b) Agencies shall cooperate with State and local agencies to the fullest extent possible to reduce duplication in NEPA and comparable State and local requirements, unless they are specifically barred from doing so by some other law. Except where an agency is proceeding in the manner specified by paragraph (a) of this section, such cooperation shall to the fullest extent possible include:

(1) Joint planning processes.

(2) Joint environmental research and studies.

(3) Joint public hearings (except where otherwise provided by statute).

(4) Joint environmental assessments and joint environmental impact statements. In such cases one or more Federal agencies and one or more State or local agencies shall be joint lead agencies. Where State laws or local ordinances have environmental impact statement requirements in addition to but not in conflict with those in NEPA, Federal agencies shall cooperate in fulfilling the requirements of those as well as Federal laws so that one document will comply with all applicable laws.

(c) To better integrate environmental impact statements into state or local planning processes, statements shall discuss any inconsistency of a proposed action with any approved State or local plan and laws (whether or not federally sanctioned).

§ 1506.3 Adoption.

(a) An agency may adopt a Federal draft or final environmental impact statement or portion thereof provided

that the agency treats the statement as a draft and recirculates it (except as provided below in paragraph (b) of this section): *And provided*, That the statement or portions thereof meets the standards for an adequate draft statement under these regulations.

(b) A cooperating agency may adopt without recirculating the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied.

(c) When an agency adopts a statement which is not final within the agency that prepared it, or when the action it assesses is the subject of a referral under part 1504, or when the statement's adequacy is the subject of a judicial action which is not final, the agency shall so specify.

§ 1506.4 Combining documents.

Any environmental document in compliance with NEPA may be combined with any other agency document to reduce duplication and paperwork.

§ 1506.5 Agency responsibility.

(a) If an agency relies on an applicant to submit initial environmental information, the agency should assist the applicant by outlining the types of information required. In all cases, the agency should make its own evaluation of the environmental issues and take responsibility for the scope and content of environmental assessments.

(b) Except as provided in §§ 1506.2 and 1506.3 any environmental impact statement prepared pursuant to the requirements of NEPA shall be prepared directly by or under contract to the lead agency or where appropriate under § 1501.6(b), a cooperating agency. In the case of such contract it is the intent of these regulations that the contractor be chosen solely by the lead agency or by the lead agency in cooperation with cooperating agencies or where appropriate by a cooperating agency to avoid any conflict of interest. Contractors shall execute a disclosure statement prepared by the lead agency or where appropriate the cooperating agency specifying that they have no financial or other interest in the outcome of the project. If the document is prepared by contract, the responsible Federal official shall furnish guidance and participate in the preparation and shall independently evaluate the statement prior to its approval. Nothing in this section is intended to prohibit any agency from requesting any person to submit information to it or any person from submitting information to any agency.

§ 1506.6 Public involvement.

Agencies shall: (a) Make diligent effort to involve the public in prepar-

ing and implementing their NEPA procedures.

(b) Provide public notice of NEPA-related hearings, meetings, and the availability of environmental documents by means calculated to inform those persons and agencies who may be interested or affected.

(1) In all cases the agency shall mail notice to those who have requested it on an individual action.

(2) In the case of an action with effects of national concern such notice shall include publication in the FEDERAL REGISTER and notice by mail to national organizations with interest in the matter and may include listing in the 102 Monitor.

(3) In the case of an action with effects primarily of local concern the notice may include:

(i) Notice to State and local agencies pursuant to OMB Circular A-95.

(ii) Following the affected State's public notice procedures for comparable actions.

(iii) Publication in local newspapers (in papers of general circulation rather than legal papers).

(iv) Notice through other local media.

(v) Notice to potentially interested community organizations including small business associations.

(vi) Publication in newsletters that may be expected to reach potentially interested persons.

(vii) Direct mailing to owners and occupants of nearby or affected property.

(viii) Posting of notice on and off site in the area where the action is to be located.

(c) Hold or sponsor public hearings or public meetings whenever appropriate. Criteria shall include whether there is:

(1) Substantial environmental controversy concerning the proposed action or substantial interest in holding the hearing.

(2) A request for a hearing by another agency with jurisdiction over the action supported by reasons why a hearing will be helpful.

(d) Solicit appropriate information from the public.

(e) Explain in its procedures where interested persons can get information or status reports on environmental impact statements and other elements of the NEPA process.

(f) Make environmental impact statements, the comments received, and any underlying documents available to the public pursuant to the provisions of the Freedom of Information Act (5 U.S.C. 552), without regard to the exclusion of intra- or interagency memoranda where such memoranda transmit comments of Federal agencies on the environmental impact of the proposed action.

§ 1506.7 Further guidance.

The Council may provide further guidance concerning NEPA and its procedures including:

(a) A handbook which the Council may supplement from time to time which shall in plain language provide guidance and instructions concerning the application of NEPA and these regulations.

(b) Publication of the Council's Memoranda to Heads of Agencies.

(c) In conjunction with the Environmental Protection Agency and the publication of the 102 Monitor, notice of:

(1) Research activities;

(2) Meetings and conferences related to NEPA; and

(3) Successful and innovative procedures used by agencies to implement NEPA.

§ 1506.8 Proposals for legislation.

The NEPA process for proposals for legislation (§ 1508.16) significantly affecting the quality of the human environment shall be integrated with the legislative process of the Congress. A legislative environmental impact statement is the detailed statement required by law which shall accompany proposed legislation to the Congress. Preparation of a legislative environmental impact statement shall include consultation with appropriate agencies (which may be pursuant to OMB Circular A-19) and conform with the requirements of these regulations except as follows:

(a) There need not be a scoping process.

(b) The legislative statement shall otherwise be treated in the same manner as a draft statement except as further specified. There need not be a final environmental impact statement: *Provided*, That when any of the following conditions exist both the draft and final environmental impact statement on the legislative proposal shall be prepared and circulated as provided by sections 1503.1 and 1506.10.

(1) A Congressional Committee with jurisdiction over the proposal has a rule requiring both draft and final environmental impact statements.

(2) The proposal results from a study process required by statute (such as those required by the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) and the Wilderness Act (16 U.S.C. et seq.)).

(3) Legislative approval is sought for Federal or federally assisted construction or other projects which the agency recommends be located at specific geographic locations. For proposals requiring an environmental impact statement for the acquisition of space by the General Services Administration, a draft statement shall accompany the Prospectus or the 11(b) Report of Building or the 11(b) Report of

Building Project Surveys to the Congress, and a final statement shall be completed before site acquisition.

(4) The agency decides to prepare draft and final statements.

(c) Comments on the legislative statement shall be given to the lead agency which shall forward them along with its own responses to the Congressional committees with jurisdiction.

(d) The Environmental Protection Agency may reduce the period for review required by § 1506.10 to insure that comments and responses are received by the appropriate Congressional committee prior to hearings on the proposal.

§ 1506.9 Filing requirements.

Environmental impact statements together with comments and responses shall be filed with the Environmental Protection Agency, attention Office of Federal Activities (A-104), 401 M Street SW., Washington, D.C. 20460. Statements shall be filed with EPA no earlier than they are also transmitted to commenting agencies and the public. EPA shall deliver one copy of each statement to the Council, which shall satisfy the requirement of availability to the President.

§ 1506.10 Timing of agency action.

(a) No decision on the proposed action shall be made or recorded under § 1505.2 by a Federal agency until the later of the following dates:

(1) Ninety (90) days after publication of the notice described in paragraph (d) of this section for a draft environmental impact statement.

(2) Thirty (30) days after publication of the notice described in paragraph (d) of this section for a final environmental impact statement.

Provided, That when an agency has formally established an internal appeal process, through which agencies or the public may take appeals and make their views known after preparation of the final environmental impact statement, and which provides a real opportunity to alter the decision, an administratively reviewable decision in the proposed action may be made after publication of the notice described in paragraph (d) of this section for a final environmental impact statement. This means that the period for appeal and the period prescribed by paragraph (a)(2) of this section may run concurrently. In such a case the environmental impact statement shall explain the timing and the public's right of appeal.

Provided further, That when an agency's primary purpose is the protection of public health and safety, the agency may, with the approval of the Council, adopt procedures under § 1507.3 providing for a finding to be

published in the *FEDERAL REGISTER* that it is necessary to waive the time requirement specified in paragraph (a)(2) of this section to preserve public health and safety.

Provided further, That when an agency's primary purpose is the protection of public health and safety and when that agency publishes proposed rules in the *FEDERAL REGISTER* for a period of public review prescribed by a statute the agency administers, that time period and the period prescribed under paragraph (a)(2) of this section may run concurrently.

(b) If the final environmental impact statement is filed within ninety (90) days after a draft environmental impact statement is filed with the Environmental Protection Agency, the minimum thirty (30) day period and the minimum ninety (90) day period may run concurrently.

(c) Subject to paragraph (e) of this section agencies shall allow not less than 45 days for comments on draft statements.

(d) The Environmental Protection Agency shall publish a notice in the *FEDERAL REGISTER* each week of the environmental impact statements filed with the Environmental Protection Agency the preceding week. The date of publication of this notice shall be the date from which the minimum time periods of this section shall be calculated.

(e) The lead agency may extend prescribed periods. The Environmental Protection Agency may upon a showing by the lead agency of compelling reasons of national policy reduce the prescribed periods and may upon a showing by any other Federal agency of compelling reasons of national policy also extend prescribed periods, but only after consultation with the lead agency. (Also see § 1507.3(d).) If the lead agency does not concur, the matter shall be referred to CEQ for resolution. When the Environmental Protection Agency reduces or extends any period of time it shall notify the Council.

§ 1506.11 Emergencies.

Where emergency circumstances make it necessary to take an action with significant environmental impact without observing the provisions of these regulations, the Federal agency proposing to take the action should consult with the Council about alternative arrangements. Agencies and the Council will limit such waivers to actions necessary to control the immediate impacts of the emergency. Other actions remain subject to NEPA review.

§ 1506.12 Effective date.

The effective date of these regulations is eight months after their final publication in the *FEDERAL REGISTER*.

(a) These regulations shall apply to the fullest extent practicable to ongoing activities and environmental documents begun before the effective date. These regulations do not apply to an environmental impact statement if the draft statement was filed before the effective date of these regulations. No completed environmental documents need be redone by reason of these regulations. Until these regulations are applicable, the Council's guidelines published in the *FEDERAL REGISTER* of August 1, 1973, shall continue to be applicable. In cases where these regulations are applicable the guidelines are superseded. However, nothing shall prevent an agency from proceeding under these regulations at an earlier time.

(b) NEPA shall continue to be applicable to actions begun before January 1, 1970, to the fullest extent possible.

PART 1507—AGENCY COMPLIANCE

Sec.

1507.1 Compliance.

1507.2 Agency Capability to Comply.

1507.3 Agency Procedures.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 et seq.), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1507.1 Compliance.

All agencies of the Federal Government shall comply with these regulations. It is the intent of these regulations to allow each agency flexibility in adapting its implementing procedures authorized by § 1507.3 to the requirements of other applicable laws.

§ 1507.2 Agency capability to comply.

Each agency shall be capable (in terms of personnel and other resources) of complying with the requirements enumerated below. Such compliance may include use of other's resources, but the using agency shall itself have sufficient capability, at minimum, to evaluate what others do for it. Agencies shall:

(a) Fulfill the requirements of Sec. 102(2)(A) of the Act to utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on the human environment. Agencies shall designate a person to be responsible for overall review of agency NEPA compliance.

(b) Identify methods and procedures required by Sec. 102(2)(B) to insure that presently unquantified environmental amenities and values may be given appropriate consideration.

(c) Prepare adequate environmental impact statements pursuant to Sec. 102(2)(C) and comment on statements in the areas where the agency has jurisdiction by law or special expertise or is authorized to develop and enforce environmental standards.

(d) Study, develop, and describe alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources. This requirement of Sec. 102(2)(E) extends to all such proposals, not just the more limited scope of Sec. 102(2)(C)(iii) where the discussion of alternatives is confined to impact statements.

(e) Comply with the requirements of Sec. 102(2)(H) that the agency initiate and utilize ecological information in the planning and development of resource-oriented projects.

(f) Fulfill the requirements of sections 102(2)(F), 102(2)(G), and 102(2)(I), of the Act and of Executive Order 11514, Protection and Enhancement of Environmental Quality, Sec. 2.

§ 1507.3 Agency procedures.

(a) Not later than eight months after publication of these regulations as finally adopted in the *FEDERAL REGISTER*, or five months after the establishment of an agency, whichever shall come later, each agency shall as necessary adopt procedures to supplement these regulations. When the agency is a department major subunits are encouraged (with the consent of the department) to adopt their own procedures. Such procedures shall not paraphrase these regulations. They shall confine themselves to implementing procedures. Each agency shall consult with the Council while developing its procedures and before publishing them in the *FEDERAL REGISTER* for comment. The procedures shall be adopted only after an opportunity for public review and after review by the Council for conformity with the Act and these regulations. The Council shall complete its review within 30 days. Once in effect they shall be filed with the Council and made readily available to the public. Agencies are encouraged to publish explanatory guidance for these regulations and their own procedures. Agencies shall continue to review their policies and procedures and to revise them as necessary to ensure full compliance with the purposes and provisions of the Act.

(b) Agency procedures shall comply with these regulations except where compliance would be inconsistent with statutory requirements and shall include:

(1) Those procedures required by §§ 1501.2(d), 1502.9(c)(3), 1503.1(c), 1505.1, 1506.6(e), and 1508.4.

(2) Specific criteria for and identification of those typical classes of action:

(i) Which normally do require environmental impact statements.

(ii) Which normally do not require either an environmental impact statement or an environmental assessment (categorical exclusions (§ 1508.4)).

(iii) Which normally require environmental assessments but not necessarily environmental impact statements.

(c) Agency procedures may include specific criteria for providing limited exceptions to the provisions of these regulations for proposed actions that are specifically authorized under criteria established by an Executive Order or statute to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive Order or statute. Environmental assessments and environmental impact statements which address classified proposals may be safeguarded and restricted from public dissemination in accordance with agencies' own regulations applicable to classified information. These documents may be organized so that classified portions can be included as annexes, in order that the unclassified portions can be made available to the public.

(d) Agency procedures may provide for periods of time other than those presented in § 1506.10 when necessary to comply with other specific statutory requirements.

PART 1508—TERMINOLOGY AND INDEX

Sec.

- 1508.1 Terminology.
- 1508.2 Act.
- 1508.3 Affecting.
- 1508.4 Categorical Exclusion.
- 1508.5 Cooperating Agency.
- 1508.6 Council.
- 1508.7 Cumulative Impact.
- 1508.8 Effects.
- 1508.9 Environmental Assessment.
- 1508.10 Environmental Document.
- 1508.11 Environmental Impact Statement.
- 1508.12 Federal Agency.
- 1508.13 Finding of No Significant Impact.
- 1508.14 Human Environment.
- 1508.15 Lead Agency.
- 1508.16 Legislation.
- 1508.17 Major Federal Action.
- 1508.18 Matter.
- 1508.19 Mitigation.
- 1508.20 NEPA Process.
- 1508.21 Notice of Intent.
- 1508.22 Proposal.
- 1508.23 Referring Agency.
- 1508.24 Scope.
- 1508.25 Significantly.
- 1508.26 Tiering.

AUTHORITY: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371 *et seq.*), Section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h-7), and Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970, as amended by Executive Order 11991, May 24, 1977).

§ 1508.1 Terminology.

The terminology of this part shall be uniform throughout the Federal Government.

§ 1508.2 Act.

"Act" means the National Environmental Policy Act, as amended (42 U.S.C. 4321, *et seq.*) which is also referred to as "NEPA."

§ 1508.3 Affecting.

"Affecting" means will or may have an effect on.

§ 1508.4 Categorical exclusion.

"Categorical Exclusion" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations (§ 1507.3) and for which, therefore, neither an environmental assessment nor an environmental impact is needed. Any such procedures shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.

§ 1508.5 Cooperating agency.

"Cooperating Agency" means any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a cooperating agency are described in § 1501.6. A State or local agency of similar qualifications or, when the effects are on a reservation, an Indian Tribe may by agreement with the lead agency become a cooperating agency.

§ 1508.6 Council.

"Council" means the Council on Environmental Quality established by Title II of the Act.

§ 1508.7 Cumulative impact.

"Cumulative impact" is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

§ 1508.8 Effects.

"Effects" include:

(a) Direct effects, which are caused by the action and occur at the same time and place.

(b) Indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Effects and impacts as used in these regulations are synonymous. Effects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), economic, social, or health, whether direct, indirect, or cumulative. Effects may also include those resulting from actions which may have both beneficial and detrimental effects, even if on balance the agency believes that the effect will be beneficial.

§ 1508.9 Environmental assessment.

"Environmental Assessment":

(a) Means a public document for which a Federal agency is responsible that serves to:

(1) Briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.

(2) Aid an agency's compliance with the Act when no environmental impact statement is necessary.

(3) Facilitate preparation of such a statement when one is necessary.

(b) Shall include brief discussions of the need for the proposal, of alternatives as required by sec. 102(2)(E), of the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted. Most environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted. Most environmental assessments do not exceed several pages in length.

§ 1508.10 Environmental document

"Environmental Document" includes the documents specified in §§ 1508.9, 1508.11, 1508.13 and 1508.21.

§ 1508.11 Environmental impact statement

"Environmental Impact Statement" means a detailed written statement as required by Sec. 102(2)(C) of the Act.

§ 1508.12 Federal agency.

"Federal agency" means all agencies of the Federal Government. It does not mean the Congress, the Judiciary, or the President, including the performance of staff functions for the President in his Executive Office.

§ 1508.13 Finding of no significant impact.

"Finding of No Significant Impact" means a document by a Federal

agency briefly presenting the reasons why an action, not otherwise excluded (§ 1508.4), will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared. It shall include the environmental assessment or a summary of it and shall note any other environmental documents related to it (§ 1501.7(a)(5)).

§ 1508.14 Human environment.

"Human Environment" shall be interpreted comprehensively to include the natural and physical environment and the interaction of people with that environment. (See the definition of "effects" (§ 1508.8).) This means that exclusively economic or social effects are not intended by themselves to require preparation of an environmental impact statement. When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment.

§ 1508.15 Lead agency.

"Lead Agency" means the agency or agencies which have prepared or have taken primary responsibility to prepare the environmental impact statement.

§ 1508.16 Legislation.

"Legislation" includes a bill or legislative proposal to Congress developed by or with the significant cooperation and support of a Federal agency, but does not include requests for appropriations.¹ The test for significant cooperation is whether the proposal is in fact predominantly that of the agency rather than another source. Drafting does not by itself constitute significant cooperation. Proposals for legislation include requests for ratification of treaties. Only the agency which has primary responsibility for the subject matter involved will prepare a legislative environmental impact statement.

§ 1508.17 Major Federal action.

"Major Federal action" includes actions with effects that may be major and which are potentially subject to Federal control and responsibility. Major reinforces but does not have a meaning independent of significantly (§ 1508.25). Actions include the circumstance where the responsible officials fail to act and that failure to act is re-

viewable by courts or administrative tribunals under the Administrative Procedure Act or other applicable law as agency action. If a Federal program is delegated or otherwise transferred to State or local government, unless Congress intended otherwise, the Federal agency shall continue to be responsible for compliance with the Act and shall insure the preparation of environmental impact statements if they would be required but for the delegation or transfer. If the Federal agency may legally require the State or local agency to follow an environmental impact statement process, as a condition of the delegation or transfer, it shall do so. If not, the Federal agency shall prepare the statements (except as provided in § 1506.5).

(a) Actions include new and continuing activities, including projects and programs entirely or partly financed, assisted, conducted, regulated, or approved by federal agencies; new or revised agency rules, regulations, plans, policies, or procedures; and legislative proposals (§§ 1506.8, 1508.16). Actions do not include funding assistance solely in the form of general revenue sharing funds, distributed under the State and Local Fiscal Assistance Act of 1972, 31 U.S.C. 1221 et seq., with no Federal agency control over the subsequent use of such funds. Actions do not include bringing civil or criminal enforcement actions.

(b) Federal actions tend to fall within one of the following categories:

(1) Adoption of official policy, such as rules, regulations, and interpretations adopted pursuant to the Administrative Procedure Act, 5 U.S.C. 551 et seq.; treaties and international conventions or agreements; formal documents establishing an agency's policies which will result in or substantially alter agency programs.

(2) Adoption of formal plans, such as official documents prepared or approved by federal agencies which guide or prescribe alternative uses of federal resources, upon which future agency actions will be based.

(3) Adoption of programs, such as a group of concerted actions to implement a specific policy or plan; systematic and connected agency decisions allocating agency resources to implement a specific statutory program or executive directive.

(4) Approval of specific projects, such as construction or management activities located in a defined geographic area. Projects include actions approved by permit or other regulatory decision as well as federal and federally assisted activities.

§ 1508.18 Matter.

"Matter" includes for purposes of Part 1504:

(a) With respect to the Environmental Protection Agency, any proposed

legislation, project, action or regulation as those terms are used in Section 309(a) of the Clean Air Act (42 U.S.C. 7609).

(b) With respect to all other agencies, any proposed major federal action to which Section 102(2)(C) of NEPA applies.

§ 1508.19 Mitigation.

"Mitigation" includes:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

§ 1508.20 NEPA process.

"NEPA process" means all measures necessary for compliance with the requirements of Section 2 and Title I of NEPA.

§ 1508.21 Notice of intent.

"Notice of Intent" means a notice that an environmental impact statement will be prepared and considered. The notice shall briefly:

(a) Describe the proposed action and possible alternatives.

(b) Describe the agency's proposed scoping process including whether, when, and where any scoping meeting will be held.

(c) State the name and address of a person within the agency who can answer questions about the proposed action and the environmental impact statement.

§ 1508.22 Proposal.

"Proposal" refers to that stage in the development of an action when an agency subject to the Act has a goal and is actively considering one or more alternative means of accomplishing that goal and the effects can be meaningfully evaluated. Preparation of an environmental impact statement on a proposal should be timed (§ 1502.5) so that the final statement may be completed in time for the statement to be included in any recommendation or report on the proposal. A proposal may exist in fact as well as by agency declaration that one exists.

§ 1508.23 Referring agency.

"Referring agency" means the federal agency which has referred any matter to the Council after a determination that the matter is unsatisfactory from the standpoint of public

¹The Council in consultation with OMB had been prepared to propose this wording and § 1508.12 for comment. Thereafter *Sierra Club v. Andrus* (D.C. Cir. No. 75-1871, May 15, 1978) was decided. We would appreciate comment on the implications of that case for these provisions.

health or welfare or environmental quality.

§ 1508.24 Scope.

Scope consists of the range of actions, alternatives, and impacts to be considered in an environmental impact statement. The scope of an individual statement may depend on its relationships to other statements (§§ 1502.20 and 1508.26). In scoping environmental impact statements agencies shall consider 3 types of actions, 3 types of alternatives, and 3 types of impacts. They include:

(a) Actions (other than unconnected single actions) which may be:

(1) Connected actions, which means that they are closely related and therefore should be discussed in the same impact statement. Actions are connected if they:

(i) Automatically trigger other actions which may require environmental impact statements.

(ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.

(iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

(2) Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement.

(3) Similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography. An agency may wish to analyze these actions in the same impact statement. It should do so when the best way to assess adequately the combined impacts of similar actions or reasonable alternatives to such actions is to treat them in a single impact statement.

(b) Alternatives, which include: (1) No action alternative. (2) Other reasonable courses of actions. (3) Mitigation measures (not in the proposed action).

(c) Impacts, which may be: (1) Direct. (2) Indirect. (3) Cumulative.

§ 1508.25 Significantly.

"Significantly" as used in NEPA requires considerations of both context and intensity:

(a) *Context*. This means that the significance of an action must be analyzed in several contexts such as society as a whole (global, national), the affected region, the affected interests, and the locality. Significant varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

(b) *Intensity*. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

(2) The degree to which the proposed action affects public health or safety.

(3) Unique characteristics of the geographic area such as proximity to historic sites, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

(8) Whether the action may have a significant adverse effect on an area or site listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

(9) Whether the action may have a significant adverse effect on the habitat of an endangered or threatened species that has been determined to be critical under the Endangered Species Act of 1973.

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

§ 1508.26 Tiering.

"Tiering" refers to the coverage of general matters in broader environmental impact statements (such as national program or policy statements) with subsequent narrower statements or environmental analyses (such as regional or basinwide program statements or ultimately site-specific statements) incorporating by reference the general discussions and concentrating solely on the issues specific to the statement subsequently prepared.

Tiering is appropriate when the sequence of statements or analyses is:

(a) From a program, plan, or policy environmental impact statement to a program, plan, or policy statement or analysis of lesser scope or to a site-specific statement or analysis.

(b) From an environmental impact statement on a specific action at an early stage (such as need and site selection) to a supplement (which is preferred) or a subsequent statement or analysis at a later stage (such as design detail and environmental mitigation). Tiering in such cases is appropriate when it helps the lead agency to focus on the issues which are ripe for decision and exclude from consideration issues already decided or not yet ripe.

INDEX

Act.....	1508.2
Action.....	1508.17, 1508.24
Action-forcing.....	1500.1, 1502.1
Adoption.....	1500.4(n), 1500.5(h), 1506.3
Affected Environment.....	1502.10(g), 1502.16
Affecting.....	1502.3, 1508.3
Agency Authority.....	1500.6
Agency Capability.....	1501.2(a), 1507.2
Agency Compliance.....	1507.1
Agency Procedures.....	1505.1, 1507.3
Agency Responsibility.....	1506.5
Alternatives.....	1501.2(c), 1502.2, 1502.10(e), 1502.14, 1505.1(e), 1507.2(d), 1508.24(b)
Appendices.....	1502.10(k), 1502.18
Apply NEPA Early in Process.....	1501.2
Categorical Exclusion.....	1500.4(p), 1500.5(k), 1501.4(a), 1507.3(b), 1508.4
Circulating of Environmental Impact Statement.....	1502.19, 1506.3
Classified Information.....	1507.3(c)
Clean Air Act.....	1504.1, 1508.18(a)
Combining Documents.....	1500.4(o), 1500.5(i), 1506.4
Commenting.....	1502.19, 1503.1, 1503.2, 1503.3, 1503.4, 1506.6(f)
Consultation Requirement.....	1500.4(k), 1500.5(g), 1501.7(a)(6), 1502.25
Context.....	1508.25(a)
Cooperating Agency.....	1500.5(b), 1501.1(b), 1501.5(c), 1501.5(f), 1501.6, 1503.1(a)(1), 1503.2, 1506.3(b), 1508.5
Cost-Benefit.....	1502.23
Council on Environmental Quality.....	1501.5(e), 1501.5(f), 1502.9(c)(4), 1504.1, 1504.2, 1504.3, 1506.9, 1506.11, 1507.3, 1508.6, 1508.23
Cover Sheet.....	1502.10(a), 1502.11
Cumulative Sheet.....	1508.7, 1508.24(a), 1508.24(c)
Decisionmaking.....	1505.1, 1506.1
Decision points.....	1505.1(b)
Dependent.....	1508.24(a)
Draft Environmental Impact Statement.....	1502.9(a)
Early Application of NEPA.....	1501.2
Economic Effects.....	1508.8
Effective Date.....	1506.12
Effects.....	1502.15, 1508.8
Emergencies.....	1506.11
Endangered Species Act.....	1502.25, 1508.25(b)(9)
Energy.....	1502.15(c)
Environmental Assessment.....	1501.3, 1501.4(b), 1501.4(c), 1506.2(b)(4), 1508.9, 1508.10

INDEX—Continued

Environmental Consequences.	1502.10(f), 1502.15
Environmental Consultation Requirements.	1500.4(k), 1500.5(g), 1501.7(a)(6), 1502.25
Environmental Documents.	1508.10
Environmental Impact Statement.	1500.4, 1501.4(c), 1501.7, 1502.1, 1502.2, 1502.3, 1502.4, 1502.5, 1502.6, 1502.7, 1502.8, 1502.9, 1502.10, 1502.11, 1502.12, 1502.13, 1502.14, 1502.15, 1502.16, 1502.17, 1502.18, 1502.19, 1502.20, 1502.21, 1502.22, 1502.23, 1502.24, 1502.25, 1506.2(b)(4), 1506.3, 1506.8, 1508.11
Environmental Protection Agency.	1502.11(f), 1504.1, 1504.3, 1506.7(c), 1506.8(d), 1506.9, 1506.10, 1508.18(a)
Environmental Review Requirements.	1500.4(k), 1500.5(g), 1501.7(a)(6), 1508.25
Expediter.	1501.8(b)(2)
Federal Agency.	1508.12
Filing.	1506.9
Final Environmental Impact Statement.	1502.9(b), 1503.1, 1503.4(b)
Finding of No Significant Impact.	1500.4(q), 1500.5(i), 1501.4(e), 1508.13
Fish and Wildlife Coordination Act.	1502.25
Format for Environmental Impact Statement.	1502.10
Freedom of Information Act.	1506.6(f)
Further Guidance.	1506.7
Generic.	1502.4(c)(2)
General Services Administration.	1506.8(b)(3)
Geographic.	1502.4(c)(1)
Graphics.	1502.8
Handbook.	1506.7(a)
Human Environment.	1502.3, 1508.14
Impacts.	1508.8, 1508.24(c)
Implementing the Decision.	1505.3
Incomplete or Unavailable Information.	1502.22
Incorporation by Reference.	1500.4(j), 1502.21
Index.	1502.10(j)
Indian Tribes.	1501.6, 1501.7(a)(1)
Intensity.	1508.25(b)
Interdisciplinary Preparation.	1502.6, 1502.17

INDEX—Continued

Interim Actions.	1506.1
Joint Lead Agency.	1501.5(b), 1506.2
Judicial Review.	1500.3
Lead Agency.	1500.5(c), 1501.1(c), 1501.5, 1501.6, 1501.7, 1501.8, 1504.3, 1506.2(b)(4), 1506.10(e), 1508.15
Legislation.	1500.5(j), 1502.3, 1506.8, 1508.16, 1508.17(a)
Limitation on Action During NEPA Process.	1506.1
List of Preparers.	1502.10(h), 1502.17
Local or State.	1500.4(n), 1500.5(h), 1501.2(d)(2), 1501.5(b), 1501.5(d), 1501.6, 1501.7(a)(1), 1501.8(c), 1502.15(c), 1503.1(a)(2), 1506.2(b), 1506.8(b)(3), 1508.5, 1508.17
Major Federal Action.	1502.3, 1508.17
Mandate.	1500.3
Matter.	1504.1, 1504.2, 1504.3, 1508.18
Methodology.	1502.24
Mitigation.	1502.14(g), 1502.15(f), 1505.2(c), 1505.3, 1508.19
Monitoring.	1505.2(c), 1505.3
National Historic Preservation Act.	1502.25
National Register of Historical Places.	1508.25(b)(8)
Natural or Depletable Resource Requirements.	1502.15(f)
Need for Action.	1502.10(d), 1502.13
NEPA Process.	1508.20
Non-Federal Sponsor.	1501.2(d)
Notice of Intent.	1501.7, 1508.21
OMB Circular A-19.	1506.8
OMB Circular A-95.	1505.2, 1506.6(b)(3)(i)
102 Monitor.	1506.6(b)(2), 1506.7(c)
Ongoing Activities.	1508.12
Page Limits.	1500.4(a), 1501.7(b), 1502.7
Planning.	1500.5(a), 1501.2(b), 1502.4(a), 1503.5, 1506.3, 1508.17
Policy.	1500.2, 1502.4(b), 1508.17(a)
Program Environmental Impact Statement.	1500.4(i), 1502.4, 1502.20, 1508.17
Programs.	1502.4, 1508.17(b)

INDEX—Continued

Projects.	1508.17
Proposal.	1502.4, 1502.5, 1506.8, 1508.22
Proposed Action.	1502.10(e), 1502.14
Public Health and Welfare.	1504.1
Public Involvement.	1501.4(e), 1503.1(a)(3), 1506.6
Purpose.	1500.1, 1501.1, 1502.1, 1504.1
Purpose of Action.	1502.10(d), 1502.13
Record of Decision.	1505.2, 1506.1
Referrals.	1504.1, 1504.2, 1504.3, 1506.3(c)
Referring Agency.	1504.1, 1504.2, 1504.3
Response to Comments.	1503.4
Scientific Accuracy.	1502.24
Scope.	1502.4(a), 1502.9(a), 1508.24
Scoping.	1500.4(b), 1501.1(d), 1501.4(d), 1501.7, 1502.9(a), 1506.8(a)
Significantly.	1502.3, 1508.25
Similar.	1508.24
Small Business Associations.	1506.6(b)(3)(v)
Social Effects.	1508.8
Specificity of Comments.	1500.4(i), 1503.3
State and Local.	1500.4(n), 1500.5(h), 1501.2(d)(2), 1501.5(b), 1501.5(d), 1501.7(a)(1), 1501.8(c), 1502.15(c), 1503.1(a)(2), 1506.2(b), 1506.6(b)(3), 1508.5, 1508.17
State and Local Fiscal Assistance Act.	1508.17(a)
Summary.	1500.4(h), 1502.10(b), 1502.12
Supplements to Environmental Impact Statements.	1502.9(c)
Table of Contents.	1502.10(c)
Technological Development.	1502.4(c)(3)
Terminology.	1508.1
Tiering.	1500.4(i), 1502.4(d), 1502.20, 1508.26
Time Limits.	1500.5(e), 1501.1(e), 1501.7(b)(2), 1501.8
Timing.	1502.4, 1502.5, 1506.10
Treaties.	1508.16
When to Prepare an Environmental Impact Statement.	1501.3
Wild and Scenic Rivers Act.	1506.8(b)(2)
Wilderness Act.	1506.8(b)(2)
Writing.	1502.8

[FR Doc. 78-15700 Filed 6-8-78; 8:45 am]

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Employment Standards Administration

General Wage Determination Decisions

[4510-27]

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND
FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are

to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the De-

partment. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standings, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decisions.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Idaho	
ID78-5017	Apr. 7, 1978.
New Jersey	
NJ77-3092	Oct. 7, 1977.
NJ78-3009	Apr. 21, 1978.
Ohio	
OH78-2002	Feb. 10, 1978.
OH78-2006	Feb. 24, 1978.
OH78-2059	May 5, 1978.
OH78-2055; OH78-2056;	May 12, 1978.
OH78-2057; OH78-2058.	
South Dakota	
SD78-5023	Apr. 21, 1978.
Utah	
UT78-5012	Mar. 17, 1978.
Virginia	
VA78-3041	May 5, 1978.
Wisconsin	
WI77-2111	Sept. 23, 1977.
WI77-2117	Aug. 19, 1977.
West Virginia	
WV77-3083	Sept. 30, 1977.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State.

Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded.

Alabama	
AL77-1089 (AL78-1053)	July 8, 1977.
Florida	
FL78-1014 (FL78-1054)	Jan. 23, 1978.
Oklahoma	
OK77-4270 (OK78-4057);	Sept. 30, 1977.
OK77-4273 (OK78-4054);	
OK77-4284 (OK78-4056).	
OK78-4022 (OK78-4055)	Mar. 17, 1978.
South Dakota	
SD77-5086 (SD78-5102)	Sept. 23, 1977.
West Virginia	
WV77-3101 (WV78-3018)	July 22, 1977.

CANCELLATION OF GENERAL WAGE DETERMINATION DECISIONS

None.

Signed at Washington, D.C. this 2d day of June 1978.

HERBERT GOLDSTEIN,
Acting Assistant Administrator,
Wage and Hour Division.

MODIFICATIONS P. 1

DECISION #1028-2017 - Mod. #3
(43 FR 14841 - April 7, 1978)
Statewide Idaho

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
Changes:					
Roofers: Benewah, Bonner, Boundary, Clearwater, Idaho County (north of 46th Parallel), Kootenai, Latah, Lewis, New Pacer, Shoshone Counties	.60	.75			.02
DECISION #1077-3092 - Mod. #5 (42 FR 54726 - October 7, 1977) Bergen, Essex, Hudson, & Passaic Counties, New Jersey					
Drop: All classifications and wage rates for Plumbers, Pipefitters, Steamfitters, and Gasfitters.					
Add: Pipefitters: Bergen & Hudson Counties and the city of Passaic in Passaic County	\$11.50	1.00	1.00	1.00	.25
Plumbers:					
Area 1	11.50	.70	.75	1.00	.20
Area 2	10.55	.76	.75	1.00	.02
Area 3	12.45	.75	1.35		.20
Area 4	11.50	.65	1.00	1.00	

AREA COVERED BY PLUMBERS

AREA 1 - Bergen (Alpine, Bergenfield, Bogota, Carlstadt, Closter, Creskill, Demarest, Dumont, East Rutherford, Emerson, Englewood Cliffs, Hackensack, Harrington Park, Hasbrouck Heights, Haworth, Hillsdale, Leonia, Little Ferry, Lyndhurst, Maywood, Montvale, Moonachie, North Arlington, Northvale, Norwood, Old Tappan, Oradell, Palisades Park, Paramus, Park Ridge, Ridgefield Park, River Edge, Rivervale, Rochelle Park, Rockleigh, Rutherford, Saddle Brook, Saddle River, South Hackensack, Teaneck, Tenafly, Teterboro, Upper Saddle River, Warren Point, Washington Twp., Westwood, Woodcliff Lake and Wood-Ridge) County.

AREA 2 - Bergen (Cliffside Park, Edgewater, Fairview, Fort Lee, Morsmøre and Ridgefield) and Hudson (Guttenberg, North Bergen, Secaucus, Weehawken and West New York) Counties.

AREA 3 - Hudson (Cities of Hoboken, Bayonne and Jersey City) County.

AREA 4 - Bergen (Lodi, Garfield, & Wallington) County and the City of Passaic in Passaic County.

MODIFICATIONS P. 2

DECISION #1077-3092 - Mod. #5

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
Plumbers & Gasfitters: Essex (except all of the Oranges, Livingston, & Maplewood) & Hudson (Harrison, East Newark, & Kearny) Counties	.65	1.00			.15
Plumbers & Pipefitters:					
Area 1	.65	1.00	1.138		.05
Area 2	.675	1.36	1.00		.04

AREA COVERED BY PLUMBERS & PIPEFITTERS

AREA 1 - Essex (Orange, West Orange, East Orange, South Orange, Maplewood and Livingston) County

AREA 2 - That portion of Passaic County north of Pisquet Ave. in Clifton and, additionally, the following communities in Bergen County: Allendale, Elmwood Park, Fair Lawn, Franklin Lakes, Glen Rock, Hoboken, Mahwah, Midland Park, Oakland, Ramsey, Ridgewood, Saddle Brook, Saddle River, Waldwick, & Wyckoff.

Plumbers & Steamfitters: Essex (Short Hills & Millburn) County:	12.67	.65	1.00	.75	.10
Essex (remainder of County) County:	11.25	.78	1.01	1.13	.06
Change: Bricklayers, Stonemasons, Cement Masons & Plasterers:					
Area 4					
Cement Masons	11.35	.75	1.00		
Plasterers	11.35	.75	1.00		.05
Electricians & Cable Splicers: Other residential construction:					
Essex County	13.24	9¢	12¢		
Laborers:					
Area 3					
Group 1	8.85	.45	.55		.07
Group 2	9.10	.45	.55		.07
Line Construction: Essex County:					
Linenmen, Cable Splicers, Line Equipment operators, Line Truck Operators & Groundmen	13.24	9¢	12¢		3/4 of 1¢

DECISION #N177-3092 - Mod. #5

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$ 9.12	m	1.03	1+j	
9.35	m	1.03	1+j	
9.40	m	1.03	1+j	
9.50	m	1.03	1+j	
9.60	m	1.03	1+j	

Truck Drivers:
Essex County:
Group 1
Group 2
Group 3
Group 4
Group 5

FOOTNOTE:
Em. Employer contribution of
\$194 per month per employee
to Health & Welfare funds

DECISION #N177-3092 - Mod. #5

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$ 8.80	1.00	1.80		.06
10.50	1.00	1.80		.06
11.50	1.00	1.80		.06
12.05	1.00	1.80		.06
12.05	1.00	1.80		.06
10.30	.70	.60	.30	.05
9.35	.70	.60	.30	.05
9.95	.70	.60	.30	.05
10.45	.70	.60	.30	.05
9.50	.70	.60	.30	.05
10.90	.70	.60	.30	.05
10.25	.80	1.30		
8.20	.80	1.30		
12.57	.80	1.00		
12.57	.80	1.00		
9.09	6%	5%+.50		

Painters:
Bergen & Passaic Counties:
New & Old construction of one &
two family houses:

Painters & Tapers
Other residential construction:

Painters & Tapers
Steel Outside
Spray & Sandblasting

Rollers on vitreous and/or
exotic coatings

Essex & Hudson (West half of
County) Counties:

Painters on New Construction
and Major Alterations

Painters on Repaint Work
Spraying or application of

hazardous or dangerous
materials on repaint work

Exterior work exceeding 3
stories in height for painting

of open structural steel and
on interior work which requires

painting higher than 20' above
the ground or floor

Repaint work as described above
Spraying or application of

hazardous or dangerous
materials

Roofers:
Bergen & Passaic Counties:

Slate & Tile
Slate & Tile helpers

Essex Counties:
Composition, Dump, & Water-

proofing
Hudson County:

Composition, Dump, & Water-

proofing:
West of Hackensack River

Soft Floor Layers

Truck Drivers:

Zone 2
Group 1
Group 2
Group 3
Group 4
Group 5

Drog:

Zones 1, 2, 3, 4, & 5 under
Pipefitters classification on
Page 20 of above given decision.

Add:

Plumbers:

Zone 1
Zone 2
Zone 3
Zone 4
Zone 5

FOOTNOTES:

n. Employer contribution of
\$124 per month per employee
to Health & Welfare Funds.

DECISION NO. 0875-2002 - Mod. #2
(U3 PR 5969 - February 10, 1978)
Mahoning & Trumbull Counties,
Ohio

CHANGE:

BRICKLAYERS:

Trumbull Co.

CARPENTERS:

Commercial Building

RESIDENTIAL:

Mahoning (Milton Twp.) & Trum-
bull (Excluding Hubbard &
Liberty Twp.) Cos.

ELECTRICIANS:

LINE CONSTRUCTION:
Mahoning (Excluding Smith Twp.)
& Trumbull Cos.:

Linemen: Cable splicers;
Operator - pole digging
equipment

MILLWRIGHTS:

Piledrivemen

SOFT FLOOR LAYERS:

Commercial Building

RESIDENTIAL:

Fringe Benefits Payments

H & W Pensions Vacation Education
and/or
Appl. Tr.

\$ 9.12
9.35
9.40
9.50
9.60

n
n
n
n
n

1.03
1.03
1.03
1.03
1.03

1.03
1.03
1.03
1.03
1.03

.20
.20
.20
.20
.20

.70
.76
.78
.65
.73

.75
.75
1.35
1.00
.83

11.50
10.55
12.45
12.51
12.36

.70
.76
.78
.65
.73

1.00
1.00
.85
1.25
1.10

.20
.02
.20
.16
.10

.75
.76
.78
.65
.73

1.00
1.00
.85
1.25
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.02
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1.00
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1.00
1.00
.85
1.25
1.10

NOTICES

DECISION #0878-2006 - Mod. #2

(U3 PR 7915 - February 24, 1978)
Allen, Auglaize, Crawford,
Defiance, Erie, Hancock, Hardin,
Henry, Huron, Knox, Logan, Marion,
Mercer, Morrow, Ottawa, Paulding,
Putnam, Richland, Sandusky, Seneca,
Van Wert, Williams, Wood, &
Wyandot Counties, Ohio

CHANGE:

ASBESTOS WORKERS:

Crawford, Hardin, Knox, Marion,
& Morrow Cos.

BRICKLAYERS: Marble Setters;
Terrazzo Workers; & Tile Setters
Allen, Auglaize, Mercer, & Van
Wert Cos.

ELECTRICIANS:

Allen, Auglaize, Hardin, Logan,
Mercer, Van Wert, & Wyandot
(Twp. of Crawford, Jackson,
Marsail, Mifflin, Ridgeland,
Ridge, & Salem) Cos.

Crawford, Huron (Twp. of Rich-
mond, New Haven, Ripley, &
Greenwich), Knox (Twp. of
Liberty, Clinton, Union, Hower,

Monroe, Middlesburg, Morris,
Wayne, Berlin, Pike, Brown, &
Jefferson), Marion, Morrow,
Richland, & Wyandot (Twp. of
Sycamore, Crane, Eden, Pitt, &
Antim) Cos.

Erie, & Huron (Twp. of Lyme,
Ridgefield, Norwalk, Townsend,
Wakeman, Sherman, Peru, Bronson,
Hartland, Clarksfield, Norwick,
Greenfield, Fairfield, Fitch-

ville, & New London) Cos.

IRONWORKERS:

Crawford, Hardin, Knox, Logan
(Rem. of Co.), Marion, Morrow
& Wyandot Cos.

Defiance, Paulding, Putnam, Van
Wert, & Williams Cos.

Basic
Hourly
Rates

H & W

Pensions

Vacation

Education
and/or
Appl. Tr.

Basic
Hourly
Rates

H & W

Pensions

Vacation

Education
and/or
Appl. Tr.

Basic
Hourly
Rates

H & W

Pensions

Vacation

Education
and/or
Appl. Tr.

Basic
Hourly
Rates

H & W

Pensions

Vacation

Education
and/or
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Hourly
Rates

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Pensions

Vacation

Education
and/or
Appl. Tr.

Basic
Hourly
Rates

H & W

Pensions

Vacation

MODIFICATIONS P. 10

DECISION #01178-2006 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
CHANGE:					
Crawford, Huron (Twps. fo Rich- mond, New Haven, Ripley, & Greenwich), Knox (Twps. of Liberty, Clinton, Union, Howard, Monroe, Middlesburg, Morris, Wayne, Berlin, Pike, Brown, & Jefferson), Marion, Morrow, Richland, & Wyandot (Twps. of Sycamore, Crane, Eden, Pitt, & Astrin) Cos.:	\$12.30	.45	32+.50		1/2%
Linenen; Equipment Operators	8.00	.45	32+.50		1/2%
Line Truck Drivers	7.38	.45	32+.50		1/2%
Groundman					
Erie, Huron (Twps. of Lyee, Ridgefield, Norwalk, Townsend, Wakenau, Sherman, Peru, Bronson, Hartland, Clarksfield, Norwick, Greenfield, Fairfield, Fitch- ville, & New London) Cos.:	12.70	.73	3%		1/2%
Linenen; Equipment Operators; Cable Splicers	6.985	.73	3%		1/2%
Beginning Truck Driver Ground- man; Beginning Groundman Advanced Truck Driver (which Groundman; Advanced Ground- man (over 2 years' experi- ence)	8.255	.73	3%		1/2%
ADD:	10.83	.65	.55		.11
Plasterers' Tenders					
DECISION FOR 78-2055 - MOD. #1 (43 FR 20671 - May 12, 1976)					
Fulton & Lucas Counties Ohio					
ADD:	\$10.83	.65	.55		.11
Lucas County: Plasterers' Tenders					

MODIFICATIONS P. 9

DECISION #0178-2006 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. T.
		H & W	Pensions	Vacation	
CHANCE:					
MARBLE SETTERS' FINISHERS;					
Terrazzo Workers' Finishers; &					
Tile Setters' Finishers:					
Erle, Huron, & Richland Cos.:	\$11.76		1.50		
Marble Setters' Finishers	12.62		1.20		
Terrazzo Workers' Finishers	12.29		1.50		
Tile Setters' Finishers					
PALMER:					
Erle, Hancock, Huron, Sandusky,					
Seneca, & Wyandot Cos.:					
Old Commercial	9.40	.50	.70		\$50.00p/y
Brush; Roller; Wash; Clean	9.65	.50	.70		50.00p/y
Drywall; Paperhanging; 30'	10.50	.50	.70		50.00p/y
to 60'					
60' or over					
Sandblasting; Spray; Swing		.50	.70		50.00p/y
Stage; Boatswain Chair;	9.90				
Needle Beam					
Hazardous Work & Material;					
Stacks, Tanks, Towers over					
40' in ht.	10.40	.50	.70		50.00p/y
New Commercial					
Brush; Roller; Wash; Clean	10.15	.50	.70		50.00p/y
Drywall; Paperhanging	10.40	.50	.70		50.00p/y
Structural Steel; 30' to 60'	10.60	.50	.70		50.00p/y
60' & over	11.00	.50	.70		50.00p/y
Sandblast; Spray; Swing Stage;					
Needlebeam; Boatswain Chair;	10.65	.50	.70		50.00p/y
Hazardous Work & Material;					
Stacks, Tanks, & Towers over					
40' in ht.	11.15	.50	.70		50.00p/y
LINE CONSTRUCTION:					
Allen, Appleaize, Hardin, Logan,					
Mercer, Van Wert, & Wyandot					
(Twp. of Crawford, Jackson,					
Marshall, Mifflin, Ridgeland,					
Ridge, & Salem) Cos.:					
Linscon	12.53	.50	3%		1/2
Groundman; Truck Drivers	8.11	.50	3%		1/2
Equipment Operators	11.28	.50	3%		1/2

DECISION #0878-2056 - MOD. #2
(43 FR 20673 - May 12, 1978)

Adams, Brown, Butler, Champaign,
Clark, Clermont, Clinton, Darke,
Delaware, Fairfield, Fayette,
Franklin, Gallia, Geauga, Greene,
Hamilton, Highland, Lawrence,
Licking, Madison, Meigs, Miami,
Montgomery, Muskingum, Perry,
Pickaway, Pike, Preble, Ross,
Scioto, Shelby, Union, and
Warren Counties, Ohio

CHANGE:

ASBESTOS WORKERS:

Delaware, Fairfield, Fayette,
Franklin, Licking, Madison,
Muskingum, Perry, Pickaway,
Ross & Union Cos.

BOILERMAKERS:

Gauga Co.

BRICKLAYERS; Caulkers; Cleaners;
Marble Setters; Pointers; Stone-
masons; Terrazzo Workers; & Tile
Setters:

Brown, Butler, Clermont, Hamil-
ton, Preble (Tps. of Dixon,
Israel, Lanier, Somers, &
Gratis), & Warren Cos.:

Bricklayers; Caulkers; Cleaners;
Pointers; & Stonemasons
Marble Setters
Terrazzo Workers & Tile
Setters

Fayette, Pike & Ross Cos.:

Bricklayers; Caulkers; Cleaners;
Pointers; & Stonemasons
Gallia & Meigs Cos.

Gauga County

CARPENTERS; Millwrights;

Filed: driversmen; & Soft Floor

Layers:

Brown, Butler, Clermont, Clin-
ton, Hamilton & Warren Cos.:-
Carpenters; Filed: driversmen
Millwrights

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$12.47	.50	1.00		.02
12.98	.60	1.20		.03
12.945	.55	.35		.02
12.085	.55	.35		
12.035	.55	.35		
12.20	.50			
11.65	.60	1.00		
13.02				
12.20	.60	.65		.075
12.14	.50	1.10		.10

DECISION #0878-2056 (Cont'd)

CHANGE:

CEMENT MASONS:

Adams, Lawrence (excluding
Fayette, Union, & Ross Tps.),
Pike, & Scioto Cos.
Gauga Co. (Rem. of Co.)

ELECTRICIANS:

Brown, Clermont & Hamilton Cos.:-
Up to & incl. 18 mi. radius
from Hamilton Co. Court House
18 to 21 mi. radius from
Hamilton Co. Court House

21 to 25 mi. radius from
Hamilton Co. Court House
Over 25 mi. radius from
Hamilton Co. Court House

Fayette, Highland, Pickaway (S.
part), Pike (N. part), & Ross
Cos.

Gauga Co. (Auburn, Middlefield,
Parkman, & Troy Tps.)
Shelby Co.

GLAZIERS:

Adams, Brown, Butler (Hamilton
& Vic.), Clermont, Clinton
(Southern part), Hamilton,
Highland (Part), & Warren
(Lebanon & south) Cos.

Champaign, Butler (excluding
Hamilton & Vic.), Clark,
Clinton (Northern part), Darke,
Fayette (Eastern part), Greene,
Highland (Part), Miami, Mont-
gomery, Preble, Shelby (South-
ern part), & Warren (North of
Lebanon) Cos.

IRONWORKERS:
Champaign (Rem. of Co.), Clark
(E. 4), Fayette (Part), High-
land (E. 1/5), Muskingum, Perry,
Pike (Part), & Ross Cos.

Delaware, Fairfield, Licking,
Madison, Pickaway, & Union Cos.
Franklin Co.
Meigs Co.

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$12.52	.60	.60		
13.02		1.00		
12.50	.70	34+.60		3%
12.80	.70	34+.60		3%
12.90	.70	34+.60		3%
13.05	.70	34+.60		3%
12.35	.40	3%		.02
13.39	.60	7%		.7%
12.21	.45	34+.37		.04
12.10		.60		.01
10.53		.70		.01
11.55	.90	1.95		.05
11.45	.90	1.95		.05
11.30	.90	1.95		.05
11.67	.75	.65		.01

DECISION #01178-2056 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$11.73	.52	.60		.045
11.72	.80	.50		
11.50	.80	.50		
10.85	.60	.50		.05
10.95	.60	.50		.05
11.00	.60	.50		.05
11.05	.60	.50		.05
11.20	.60	.50		.05
11.35	.60	.50		.05
11.60	.60	.50		.05
10.32	.60	.50		.05
10.47	.60	.50		.05
9.06	.55	.40		.05

DECISION #OH78-2056 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Fr.
	H & W	Pensions	Vacation	
Common laborers; Pouring of all concrete; Cleaning debris; Clean-up incl. vacuum cleaning; Landscaping; Sod layers; Loading & unloading all trucks; Handling & conveying all materials; Washing of all windows; A man on bucket pouring concrete; Conveyor belt; All water pumps up to & incl. 3" intake	\$8.86	.55	.40	.05
<p>TRUCK DRIVERS:</p> <p>Adams, Brown, Highland, Lawrence (W. of Coal Grove & W. of St. Rte #75), Pike, Ross, & Scioto Cos.:</p> <p>Jeep; Station wagons; Pickups; Fuel trucks; Dumps to & incl. 2 tons; Bus drivers (incl. all equipment used for hauling men & materials)</p> <p>8.96 21.50a</p> <p>Dumps over 2 tons; Tandems; Semi-tractor; Lorboys; Fork lifts (incl. mason tending work); Euclids</p> <p>9.88 21.50a</p>				
<p>OMIT:</p> <p>TRUCK DRIVERS:</p> <p>Gallia, Lawrence (E. of Ohio St. Rte #75), & Meigs Cos.</p>				
<p>ADD:</p> <p>TRUCK DRIVERS:</p> <p>Gallia, Lawrence (E. of Ohio St. Rte #75), & Meigs Cos.</p>				

DECISION NO. OH78-2056 (Cont'd)

TRUCK DRIVERS: Gallia, Lawrence (E. of Ohio St. Rte #75), & Meigs Cos.; Truck helpers; pickups; Station wagons; Panel trucks; Yardmen; Warehousemen; Flatbody material truck (straight job); Greasers; Washers; Tiresmen; Gas pump attendants; Dump trucks (up to 5 cubic yards) Tank trucks (straight) Dump trucks (5 cu. yds. & over); Semi-dump trucks; Semi-trailers (whether flat, rack or pole & hauled or pushed by truck or tractors); Agitator or mixer trucks (up to 5 cu. yds.); Tank truck (semi) Low boy trailers; Winch trucks; Fork trucks; Distributor trucks; (front end & back end); Truck crane; Monorail truck Material checker & receiver Agitator or mixer truck (5 cu. yds. & over) Mechanic's helper Mechanic Tri-axle dump trucks; Hydraulic lift tailgate truck & farm type tractors; End dumpsters; Turn- rockers; Ross carriers; Athley wagon or similar equipment; A-frame; Hydraulic lift; Dual purpose trucks	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
	\$ 9.84	93.17d	60.67d	1.00	
	9.94	93.17d	60.67d	1.00	
	10.09	93.17d	60.67d	1.00	
	10.14	93.17d	60.67d	1.00	
	10.19	93.17d	60.67d	1.00	
	10.24	93.17d	60.67d	1.00	
	10.19	93.17d	60.67d	1.00	
	10.49	93.17d	60.67d	1.00	
	10.49	93.17d	60.67d	1.00	

DECISION NO. OH78-2057 - MOD. #1
(43 FR 20685 - May 12, 1978)

Fringe Benefits Payments	Education and/or Appr. Tr.	Vacation	Pensions	H & W	Basic Hourly Rates	Ashtabula, Cuyahoga, Lake, Lorain, Portage, Stark, & Summit Counties, Ohio
CHANGE:						
BOILERMAKERS	.03	1.20	1.20	.60	\$12.98	
BRICKLAYERS; Stonemasons:						
Ashtabula Co.		.70	.70	.95	11.21	
Cuyahoga Co.	.01	1.20	1.20	1.05	12.65	
Lake Co.		1.00	1.00	.60	13.02	
Lorain Co.	.01	.60	.60		12.85	
CEMENT MASONS:						
Ashtabula Co.		.70	.70	.95	11.21	
Lake Co.	.01	1.00	1.00	.60	13.02	
Lorain Co.		.60	.60		12.85	
ELECTRICIANS:						
Ashtabula Co. (Twps. of Cole- brook, Wayne, Williamsfield, Orwell, & Windsor)		7%	7%	.60	13.39	
LINE CONSTRUCTION:						
Ashtabula Co. (Twps. of Cole- brook, Orwell, Wayne, Williamsfield, & Windsor); Portage Co. (Twps. of Charleston, Edinburg, Freedom, Hiram, Nelson, Palmyra, Paris, & Windem); Cable Splicer op.; Linemen; Pole Digging Equipment op.		3%	3%	.45	14.07	
Groundmen:						
Over 3 yrs.		3%	3%	.45	11.26	
3rd yr.		3%	3%	.45	10.55	
2nd yr.		3%	3%	.45	9.85	
2nd 6 mos.		3%	3%	.45	8.44	
1st 6 mos.		3%	3%	.45	7.035	
MARBLE SETTERS:						
Ashtabula Co.		.70	.70	.95	11.21	
Cuyahoga Co.	.01	1.20	1.20	1.05	12.65	
Lake Co.		1.00	1.00	.60	13.02	
Lorain Co.	.01	.60	.60		12.85	
MARBLE SETTERS' FINISHERS:						
Cuyahoga, Lake & Lorain Cos.		1.50	1.50		11.76	
PLASTERERS:						
Ashtabula Co.		.70	.70	.95	11.21	
Lake Co.		1.00	1.00	.60	13.02	
Lorain Co.	.01	.60	.60		12.85	

DECISION #0178-2057 (Cont'd)

CHANGE:
 TERRAZZO WORKERS:
 Ashtabula Co.
 Cuyahoga Co.
 Lake Co.
 Lorain Co.
 TERRAZZO WORKERS' FINISHERS:
 Cuyahoga, Lake, & Lorain Cos.
 TILE SETTERS:
 Ashtabula Co.
 Cuyahoga Co.
 Lake Co.
 Lorain Co.
 TILE SETTERS' FINISHERS:
 Cuyahoga, Lake, & Lorain Cos.

ADD:
 FOOTNOTES:
 f. 2 paid holidays: C&D

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
11.21	.95	.70			
12.65	1.05	1.20			.01
13.02	.60	1.00	f		
12.85		.60			.01
12.62		1.20			
11.21	.95	.70			
12.905		1.50			
13.02	.60	1.00			
12.85		.60	f		.01
12.29		1.50			

DECISION #0178-2058 - MOD. #1
(43 FR 20691 - May 12, 1978)

Ashland, Carroll, Columbiana, Coshocton, Holmes, Medina, Tuscarawas, & Wayne Cos., Ohio
 CHANGE:
 Boilermakers:
 Carroll, Coshocton, Holmes, Medina, Tuscarawas, & Wayne Cos.
 Bricklayers; Marble Setters; Stonemasons; Terrazzo Workers; & Tile Setters:
 Medina (Twps. of Hinckley, Grandt, Brunswick, Medina, Liverpool, Montville, & York) Co.:
 Bricklayers; Marble Setters; Stonemasons; & Terrazzo Workers
 Tile Setters
 Medina (Twps. of Litchfield, Chatham, Harrisville, Homer, & Spencer) Co.
 Carpenters; Millwrights; Piledriversmen; & Soft Floor Layers:
 Columbiana Co.:
 Carpenters
 Piledriversmen
 Cement Masons; Plasterers:
 Medina Co. (Rem of Co.):
 Cement Masons; Plasterer
 Electricians:
 Ashland Co.
 Marble Setters' Finishers; Terrazzo Workers' Finishers; & Tile Setters' Finishers:
 Ashland, & Medina (exclu. Twps. of Wadsworth, Guilford, Westfield, Lafayette, & Sharon) Cos.:
 Marble Setters' Finishers
 Terrazzo Workers' Finishers
 Tile Setters' Finishers

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$12.98	.60	1.20			.03
12.65	1.05	1.20			.01
12.905		1.50			
12.85		.60	f		.01
10.45	.87	.85			.02
11.90	.55	10%			.5%
12.85		.60	f		.01
12.30	.45	32.50			.12
11.76		1.50			
12.62		1.20			
12.29		1.50			

DECISION NO. 00178-2052 (Cont'd.)

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
Carpenters & Piledriversmen: Mahoning and Trumbull Cos: Carpenters Piledriversmen Electricians: Allen, Auglaize, Hardin, Logan, Mercer, Shelby, & Van Wert Cos. & Wyandot Co. (West of Crane, Pitt, & Tynochtee Tps.) Ashland, Crawford, Marion, Morrow & Richland Cos., Wyandot Co. (Remainder of Co.) Knox Co. (North & in- cluding Clinton, Howard, Liberty, Monroe & Union Tps.), & Huron Co. (Tps. of Green- wich, New Haven, Richmond & Ripley Brown, Clermont & Hamilton Cos.: Within 18 MI. of Hamilton County Court House From 18 to 21 Miles From 21 to 25 Miles Over 25 Miles Erie Co., Huron Co. (Rem. of Co.) Fayette, Highland, Hocking & Ross Cos. & Jackson Co. (Rem. of Co), Pickaway, Pike & Vinton Cos. Ashtabula (Remainder of County), Remainder of Portage and Trumbull Cos., Geauga Co. (Tps. of Auburn, Middlefield, Farman and Troy), and Mahoning Co. (Twp. of Milton)	10.74 11.53 12.21 12.30 12.50 12.80 12.90 13.05 12.70 12.35 13.39	1.17 1.17 .45 .45 .70 .70 .70 .70 .73 .40 .60	1.10 1.10 32+.37 32+.50 32+.60 32+.60 32+.60 32 32 72	.05 .05 .04 .12 3/4 3/4 3/4 3/4 1/2 .02 .72		

DECISION NO. 00178-2059 (Cont'd.)

Fringe Benefits Payments	Education and/or Appr. Tr.			
	H & W	Pensions	Vacation	
Basic Hourly Rates				
Ironworkers: Athens, Meigs, Morgan, Noble & Washington Cos. Crawford, Fayette, Hardin, Hocking, Jackson (N.Y. of Co.), Knox, Marion, Morrow, Muskingum, Perry, Pike (pt.), Ross, Vinton, Wyandot, & the rem. of Champaign, Clark, Highland, & Logan Cos. Delaware, Fairfield, Licking, Madison, Pickaway & Union Cos. Franklin Co. Defiance, Paulding, Putnam, Van Wert & Williams Cos. Linemen: Allen, Auglaize, Hardin, Logan, Mercer, Shelby, Van Wert & Wyandot Co. (Remainder of Co.) Ashland, Crawford, Marion, Morrow, & Richland Cos., Huron Co. (Tps. of Greenwich, New Haven, Richmond, & Ripley), Knox Co. (North Half including the Tps. of Clinton, Howard, Liberty, Monroe, & Union), & Wyandot Co. (East Half including the Tps. of Crane, Pitt & Tynochtee) Brown, Clermont & Hamilton Cos. Within 18 Mi. of Hamilton County Court House From 18 to 21 Miles From 21 to 25 Miles Over 25 Miles	11.67 11.55 11.45 11.30 11.55 12.53 12.30 12.50 12.80 12.90 13.05	.75 .90 .90 .90 .90 .50 .15 .70 .70 .70 .70	.85 1.95 1.95 1.95 1.45 32 32+.50 32+.60 32+.60 32+.60 32+.60	.01 .05 .05 .05 .02 1/2 3/4 .52 .52 .52 .52

DECISION NO. 08178-2059 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
Linemen (Cont'd)				
Erie Co., & Huron Co. (Rem. of Co.)	.73	3%		1/2%
Mahoning & Trumbull Cos., Ashtabula Co. (Remainder of Co.), Columbiana Co. (Twp. of Butler, Fairfield, Perry, Salem & Unity), Geauga Co. (Twp. of Auburn, Middlefield, Parkman, & Troy) & Portage Co. (Twp. of Charleston, Edinburg, Freedom, Hiram, Nelson, Palmyra, Paris & Windham)				
Painters:				
Athens & Hocking Cos.:	.45	3%		1/2%
Brush				
Spray				
Brown, Clermont, & Hamilton Cos.				
Brush				
Spray				
Butler & Warren Counties				
Brush				
Spray				
Coshocton County:				
Brush				
Roller				
Spray; Sandblasting				
Sandblasting pot tend				
Erie, Hancock, Huron, Sandusky Seneca and Wyandot Counties				
Brush	.50	.70		50.00 p/yr
Structural Steel & Bridges	.50	.70		50.00 p/yr
Plumbers & Steamfitters:				
Adams, Athens, Gallia, Highland, Jackson, Lawrence, Pike Scioto, & Vinton Cos.	.55	.75		
Meigs, Monroe (Rem. of Co.), Morgan (Rem. of Co.), & Washington Cos.	.52	.60		.045
Add:				
Bricklayers:				
Footnote:				
e. 2 paid holidays: Independence Day and Labor Day				

NOTICES

DECISION NO. SD78-5023 - Mod. #1
(43 FR 17239 - April 21, 1978)
Mead and Pennington Counties,
South Dakota

Change:

Bricklayers; Stonemasons
Carpenters:
Drywall Applicators
Pile-drivers
Millwrights
Cement Masons
Plumbers; Steamfitters
Sheet Metal Workers

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$10.25		.30		
10.26	.30			.05
10.51	.30			.05
10.76	.30			.05
8.90	.35	.40		.03
10.28	.65	.60		.005
10.60				
DECISION #UT78-5012 - Mod. #1 (43 FR 11454 - March 17, 1978) Statewide Utah				
Change:				
Line Construction Workers:				
Groundman	\$8.24	3%		1/2%
Line Equipment Serviceman	9.82	3%		1/2%
Line Equipment Mechanic:				
Base Shop	9.82	3%		1/2%
Right-of-way	10.49	3%		1/2%
Line Equipment Operators	9.98	3%		1/2%
Linemen	11.07	3%		1/2%
Cable Splicers	12.18	3%		1/2%
Marble Setters	10.12	.30		.08
Sprinkler Fitters	11.13	1.05		
Add:				
Terrazzo Workers & Tile Layers	10.12	.37		

DECISION NO. VA-78-1041 - MOD. #1
(43 FR 19579 - May 5, 1978)
The Independent Cities of Chesapeake,
Portsmouth and Virginia Beach,
Virginia.

Omit:
Norfolk from Location

Change:
Bricklayers & Stonemasons

DECISION NO. W177-2117 - MOD. #3
(42 FR 42172 - August 19, 1977)
Green Lake, Marquette, Waupaca
Maushara & Winnebago Counties
Wisconsin

Change:

Bricklayers and Stonemasons
Carpenters & Soft Floor Layers
Cement Masons
Electricians
Laborers:
Class I
Class II
Class III
Marble Setters
Millwrights and Filodriversmen
Plasterers
Tile setters & Terrazzo Workers

DECISION NO. W177-2111 - MOD. #3
(42 FR 48727 - September 23, 1977)
Green and Rock Counties,
Wisconsin

Change:
Electricians

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 9.33	.60	.20			.03
\$ 9.95	.65	.40			.02
9.92	.50	.60			.05
9.45	.65	.40			.02
11.08	.60	3%			.50%
8.35	.45	.40			.02
8.40	.45	.40			.02
8.55	.45	.40			.02
9.95	.65	.40			.02
10.32	.50	.60			.05
9.95	.65	.40			.02
9.95	.65	.40			.02
11.35	.50	3%	7%		.50%

DECISION W177-3083 - MOD. #4
(42 FR 53172 - September 30, 1977)
Statewide, West Virginia

Change:
Bricklayers & Stonemasons:

Area 1
Area 2
Area 5
Area 6
Electricians:

Area 2

Contracts \$15,000 or less:

Wiremen

Cable Splicers

Contracts over \$15,000:

Wiremen

Cable Splicers

Area 15

Contracts \$15,000 or less:

Wiremen

Cable Splicers

Contracts over \$15,000:

Wiremen

Cable Splicers

Area 16

Contracts \$15,000 or less:

Wiremen

Cable Splicers

Contracts over \$15,000:

Wiremen

Cable Splicers

Ironworkers:

Area 1

Area 3

Line Construction:

Area 2

Linemen & operators (all

mechanized equipment)

Cable Splicers

Groundsman

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$11.52	.65	.75	a		.03
10.73	.55	.50			
12.64	.30	.30			
10.85	.60				
8.37	.50	3%+.52	.77		.06
8.67	.50	3%+.52	.77		.06
11.27	.50	3%+.52	.77		.06
11.57	.50	3%+.52	.77		.06
11.87	.50	3%+.52	.77		.06
8.67	.50	3%+.52	.77		.06
8.97	.50	3%+.52	.77		.06
11.57	.50	3%+.52	.77		.06
11.87	.50	3%+.52	.77		.06
8.87	.50	3%+.52	.77		.06
9.17	.50	3%+.52	.77		.06
11.77	.50	3%+.52	.77		.06
12.07	.50	3%+.52	.77		.06
11.63	.90	1.05			.09
11.67	.90	1.05			.01
11.27	.50	3%+.52	.77		1/2 of 1%
11.57	.50	3%+.52	.77		1/2 of 1%
9.02	.50	3%+.52	.77		1/2 of 1%

STATE: Alabama
 DECISION NUMBER: AL78-1053
 SUPersedes Decision No.: AL77-1089 dated July 8, 1977, in 42 FR 35337
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

COUNTIES: *See below

DATE: Date of Publication

DECISION #BW77-3083 - Mod. #4

Plumbers & Pipefitters:
 Area 3
 Area 4
 Area 8
 Contracts \$75,000 or less
 Contracts over \$75,000
 Area 9
 Area 10

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$10.29	.55	.95	1.029		.04
10.54	.55	.95	1.054		.04
8.55	.45	.60			.09
11.42	.45	.60			.09
10.79	.55	.95	1.079		.04
11.04	.55	.95	1.104		.04

*Counties: Baldwin, Escambia, Mobile and Washington

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 7.00					
5.50					
4.00					
4.81					
5.63					
5.50					
5.53					
3.71					
5.50					
6.50					
8.84		.30			
7.74		.30			
7.00	.55				
4.00					
4.00					
7.33					
4.50					
8.00					

Air Conditioning Mechanic
 Bricklayers
 Carpenters
 Cement Masons
 Dry Wall Finishers
 Dry Wall Hangers
 Electricians
 Laborers
 Unskilled
 Painters
 Plumbers
 Roofers
 Paper Roller & Kettlemen
 Sheet Metal Workers
 Soft Floor Layers
 Tile Setters

POWER EQUIPMENT OPERATORS:

Backhoe
 Bulldozers
 Front End Loader

DECISION NO. FL78-1054 (Cont'd)

STATE: Florida
 COUNTY: Hillsborough
 DATE: Date of Publication
 SUPERSEDES DECISION NO. FL76-1014 dated January 23, 1976 in 41 FR 3587
 DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories)

FLA-2-PED-1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocatic.	Education and/or Appl. Tr.
BOTTLERMAKERS	\$10.25	.60	1.05		.02
BRICKLAYERS	9.15				
CARPENTERS	8.765	.325	.30		.04
HILLBLIGHTS	9.37	.45	.45		.06
FILMREVIEWERS	9.015	.325	.30		.04
CEMENT MASONS	8.60	.45	.50		.09+.01
ELECTRICIANS:					
Commercial:					
Electricians	8.87	5/4	32+32	42	.10
Industrial:					
Electricians	10.20	5/4	32+32	42	.10
IRONWORKERS	10.30	.65	.50		.05
LABORERS	5.14				
LATHERS	9.49		.20		.01
LINE CONSTRUCTION:					
Linemen & Heavy Equipment Operator	10.80	.45	32		3/42
Cable Splicers	11.23	.45	32		3/42
Winch Truck Drivers Operator	8.30	.45	32		3/42
Groundmen	6.26	.45	.32		.06
PAINTERS	8.65	.35	.40		.05
PLASTERERS	8.76	.30	.50		.02
PLUMBERS	7.22				.02
ROOFERS	8.05	.25	.20		.10
ROOFERS, Kettlemen	5.60	.25	.20		
TILE SETTERS	9.05	.45	.50		
WELDER (receive rate prescribe for craft performing operator to which welding is incidental.					

NOTICES

25267

POWER EQUIPMENT OPERATOR

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appl. Tr.
GROUP A	\$10.89	.375	.35		.05
GROUP B	10.14	.375	.35		.05
GROUP C	9.905	.375	.35		.05
GROUP D	9.685	.375	.35		.05
GROUP E	8.135	.375	.35		.05
GROUP F	7.875	.375	.35		.05
GROUP G	7.645	.375	.35		.05

GROUP A: Cat cranes, truck cranes pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor

GROUP B: Tugger hoist

GROUP C: Trenching machine over 24" winch truck; material hoist (elevator type)

GROUP D: Crawler bulldozer, crawler tractor and turnspull, heavy hufftype front end loader, heavy DM-10 to DM-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator

GROUP E: Air compressor 125 cu. ft. or over

GROUP F: Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe

GROUP G: Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps

150' boom, including jib scale of top operator classification plus \$.25 per hour.

Tower crane operators: \$.25 per hour above top operator classification not including long boom pay.

DECISION NO. OK78-4054

SUPERSEDES DECISION

STATE: Oklahoma

COUNTIES: Oklahoma, Cleveland, Caddo, Grady, Canadian, Kingfisher, Lincoln, Logan, McClain, Seminole and Pottawatomie

DATE: Date of Publication

SUPERSEDES DECISION NO. OK77-4273 dated September 30, 1977 in 42 FR 53091

DESCRIPTION OF WORK: Building Construction (but does not include single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocation	
ASBESTOS WORKERS	\$11.75	.45	1.00		.02
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS-STONEMASONS: Oklahoma, Cleveland, Canadian and McClain Counties	10.60	.62	.75		.05
Lincoln, Pottawatomie and Seminole Counties	9.85	.50	.30		.05
Kingfisher County	8.75	.30	.30		
Logan County	10.27	.50	.50		.10
Caddo and Grady Counties	9.50	.50	.30		.05
CARPENTERS - ZONE I					
Carpenters	8.75	.55	.25		.05
Power saw operator	9.00	.55	.25		.05
Millwrights-Pile-drivers	9.90	.45	.60		.09
CARPENTERS - ZONE II					
Carpenters	9.65	.45	.60		.09
Millwrights-Pile-drivers	9.90	.45	.60		.09
Power saw operator	9.90	.45	.60		.09
CARPENTERS - ZONE III					
Carpenters	9.66	.45	.25		.09
Power saw operator	9.91	.45	.25		.09
Millwrights-Pile-drivers	9.91	.45	.25		.09
CARPENTERS - ZONE IV					
Carpenters	8.70	.45	.25		.02
Millwrights-Pile-drivers	9.525	.45	.25		.02
CARPENTERS V					
Carpenters	9.50	.50	.30		.10
Millwrights-Pile-drivers	9.90	.45	.60		.09

CARPENTERS AREA DEFINITION

ZONE I - Northern 1/2 of Lincoln County bound on the South by Interstate 35 on the East of Highway 99

ZONE II - Pottawatomie County and part of Lincoln County south of Turner Turnpike; the City limits of Moore in Cleveland County; all of Oklahoma, Canadian, Kingfisher and Logan Counties.

ZONE III - McClain County and Cleveland County (except that area covered by the City limits of Moore)

ZONE IV - Seminole County

ZONE V - Caddo and Grady Counties

CEMENT MASONS:

Lincoln, Oklahoma, McClain, Caddo, Grady, Cleveland, Canadian, Logan & Kingfisher Cos.

ELECTRICIANS:

Zone I
Zone II
Zone III

CABLE SPILLERS:

Zone I
Zone II
Zone III

ELECTRICIANS-CABLE SPILLERS ZONE DEFINITION

ZONE I - the area within the twelve mile radius of the main Post Office located in one of the cities listed as follows: El Reno, Moore, Norman, and Oklahoma City.

ZONE II - the area between the twelve mile zone 1 radius to thirty mile radius of the zone 1 post office, except where zone 2 intercepts another zone 1 area.

ZONE III - the area outside zones 1 and 2 and within the local union area.

ELEVATOR CONSTRUCTORS	110.11	.545	.35	2½a+b	.02
ELEVATOR CONSTRUCTORS HELPER	70.1JR	.545	.35	2½a+b	.02
ELEVATOR CONSTRUCTORS HELPER (PROV.)	50.1JR				
GLAZIERS	9.30				
IRONWORKERS	10.10	.45	.65		.12
LABORERS:					
ZONE I					
Group I	7.65	.25	.40		
Group II	7.90	.25	.40		
ZONE II					
Group I	6.30	.25	.40		
Group II	6.55	.25	.40		
ZONE III					
Group I	6.45	.25	.40		
Group II	6.75	.25	.40		
ZONE IV					
Group I	6.15	.25	.40		
Group II	6.40	.25	.40		

LABORERS CLASSIFICATION DEFINITION

GROUP I - Unskilled laborers
 GROUP II - Air tool operator (jackhammer-vibrator), mason tenders, mortar mixers, pipelayers (concrete and clay), plasterers tenders

AREA COVERED BY LABORERS ZONES

ZONE I - Oklahoma, Canadian, Logan, Pottawatomie, Lincoln and Cleveland Counties.
 ZONE II - McClain, Caddo and Grady Counties
 ZONE III - Seminole County
 ZONE IV - Kingfisher County

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
LATHERS	\$ 9.00					.01
LINE CONSTRUCTION:						
Linemen	9.85		3%			1/2%
Cable splicers	10.44		3%			1/2%
Hole digger operator	8.94		3%			1/2%
Heavy equipment operators (or pole cat equivalent)	8.94		3%			1/2%
Line truck driver (winch op.)	8.09		3%			1/2%
Jack hammerman	7.37		3%			1/2%
Powderman	8.94		3%			1/2%
Groundman (1st year)	5.12		3%			1/2%
Groundman	6.57		3%			1/2%
Truck driver (flat bed, ton and half and under)	7.02		3%			1/2%
MARBLE MASONS	10.05		.30			
PAINTERS:						
Brush	8.95	.50	.35	.35		.03
Spray under 30 feet	9.45	.50	.35	.35		.03
Spray over 30 feet	9.95	.50	.35	.35		.03
Sandblasting under 30 feet	9.45	.50	.35	.35		.03
Sandblasting over 30 feet	9.95	.50	.35	.35		.03
Hazardous work	9.45	.50	.35	.35		.03
Paperhanging	9.95	.50	.35	.35		.03
Tapers using machine tools	9.45	.50	.35	.35		.03
PLASTERERS	10.00		.35			.01
POWER EQUIPMENT OPERATORS:	11.67	.60	.85			.10
Group I	11.25	.45	.50			.12
Group II	11.00	.45	.50			.12
Group III	10.75	.45	.50			.12
Group IV	10.50	.45	.50			.12
Group V	10.25	.45	.50			.12
Group VI	10.00	.45	.50			.12
Group VII	9.75	.45	.50			.12
Group VIII	9.35	.45	.50			.12
Group IX	8.75	.45	.50			.12
Group X	8.75	.45	.50			.12
Group XI	8.75	.45	.50			.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP I
 All crane type equipment with 250' of boom or over (including jib)

GROUP II
 All crane type equipment with 200' of boom or over (including jib)

GROUP III
 All crane type equipment with 150 - 200' of boom (including jib)

GROUP IV
 All crane type equipment with 100 - 150' of boom (including jib), all tower cranes and all crane type equipment of 3 cu. yd. or more (as rated by mfg), sidboom (booms 30' & over), guy derrick

GROUP V
 Heavy duty mechanic, welder, crane-hood & overhead monorail, whirley, panel board, batch plant operator, piledriver engineer, dragline, shovel, clamshell, backhoe (3/4 yd & over); sideboom (under 30'), gradeall, hydro crane, cherry picker, hoist while operating 2-or more drums, hoists while doing stacks & chimney work (1 or 2 drums), power driven hole digger (with 30' and longer mast)

GROUP VI
 Motor patrol (blade), fork lift (35' & over), dozer (engine h.p. 65 or over) forsdon tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, tounpull, D# 10, 15, 16, 20, 21 and similar rubber tired equipment, euclid, TS-24 and similar, loader operator or Hi-lift (engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, powder driven hole digger with less than 30' mast, trenching machine, concrete pump-boom type - Engineers for machine not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII
 Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. & under, air compressor, over 500 cu. ft. (1) pumps, Battery, 3 to 6, fork-lift, bobcat and similar equipment, Generator plant engineer, diesel elec., winch truck with A-frame, roller, all types, outside elevator or building type of personnel, hoist, concrete hustler or tamper, heaters under jurisdiction of Operating Engineers, fireman, boiler operator, crushing plants, oiler distributor, pulverizer, farmer tractor with or without attachments, batch plant operator (portable), conveyor-operator duel, continuous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large whirleys when and if required, operator for rotary drilling machines when operated from console or machines -- Engineers for machines not listed under the above classifications shall receive the scale comparable to those classifications

GROUP VIII
 Grasser, tilt top trailer operator

GROUP IX
 Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft., and under (1 or 2), welding machine (1 or 2) pump (1 or 2), fuelman, conveyor operator-single-continuous belt bulk handling

GROUP X
 Asphalt lay machine back end man, mechanic helper and welder helper

GROUP XI
 Truck crane oiler driver or track crane oiler

STATE: Oklahoma
 COUNTY: Tulsa, Creek, Craig, Ottawa, Delaware, Mayes and Rogers
 DECISION NO. OK78-4055
 DATE: Date of Publication
 SUPPLEMENTAL DECISION NO. OK78-4022 dated March 17, 1978 in 43 FR 11451
 DESCRIPTION OF WORK: Building Construction (but does not include single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ROOFERS	9.15	.60	.25		.04
SHEET METAL WORKERS	10.82	.50	.84		.07
SOFT FLOOR LAYERS:					
Resilient floor layers and carpet layers	9.10	.50		.25	.03
SPRINKLER FITTERS	11.60	.75	1.05		.08
TERRAZZO WORKERS	10.05		.30		
TERRAZZO WORKERS FINISHER	6.98				
TERRAZZO BASE MACHINE MAN	7.28				
TERRAZZO FLOOR MACHINE MAN	7.08				
TILE SETTERS	10.05		.30		
TILE & MAZELE FINISHERS:					
Experienced finishers	6.65				
TRUCK DRIVERS:					
Group I	6.92				
Group II	6.92				
Group III	6.62				

TRUCK DRIVERS CLASSIFICATION DEFINITION

GROUP I - Truck drivers for heavy equipment such as lowboys, heavy winch and floats.
 GROUP II - Heavy earth moving equipment such as dump trucks and Euclids.
 GROUP III - Truck drivers and sweepers, such as dump trucks, flat beds, stake bodies, and 3/4, and 1/2 ton pick-up trucks.
 WELDERS - received rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

A. 1st 6 mos. - none; 6 mos. to 5 yrs. 6%; over 5 yrs. - 8% of basic hourly rate.
 B. Paid holidays A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
 E-Thanksgiving Day; F-Christmas Day.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ASBESTOS WORKERS	\$12.20	.35	.75		.015
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS-STONEMASONS:					
Tulsa, Delaware, Ottawa, Craig, and Rogers Counties	10.59	.45	.40	.33	.06
Mayes County	9.75	.45	.40		.05
CARPENTERS:					
Area I	9.68	.45	.75		.07
Area II	8.12	.33	.30		
MILLWRIGHTS-PIT FITTERS:					
Area I	9.98	.45	.75		.07
Area II	8.37	.33	.30		

CARPENTERS-MILLWRIGHTS-PIT FITTERS AREA DEFINITIONS:
 AREA I - Tulsa, Creek, Craig, Rogers and Mayes Counties
 AREA II - Delaware and Ottawa Counties

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
CEMENT MASONS:					
Cement masons	10.22		.40		.16
Power tool operator	10.47		.40		.16
ELECTRICIANS:					
Electricians	10.65	.46	.30	.30	.07
Cable applicators	10.90	.46	.30	.30	.07
ELEVATOR CONSTRUCTORS	10.40	.545	.35	.474+ab	.02
ELEVATOR CONSTRUCTORS' HELPER	70%JR	.545	.35	.474+ab	.02
ELEVATOR CONSTRUCTORS' HELPER (Probationary 6 months)	50%JR				
GLAZIERS:					
Area I	9.16	.50	.30		.01
Area II	8.05			.25	
GLAZIERS AREA DEFINITIONS:					
AREA I - Tulsa, Creek, Craig, Rogers and Mayes Counties					
AREA II - Craig, Delaware and Ottawa Counties					
IRONWORKERS:					
LABORERS:					
Group I	10.10	.45	.65		.12
Group II	7.65	.25	.40		
Group III	7.95	.25	.40		
Group IV	8.05	.25	.40		
Group V	8.50	.25	.40		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (CONT'D)

GROUP VI - Motor patrol (blade), fork lift (35' & over), dozer (engine h.p. 65 or over) forsdon tractor or like equipment with hoe or loader equipment of ditcher, scraper type equipment, tounapull, DW 10, 15, 16, 20, 21 and similar rubber tired equipment, euclid, TS-24 and similar, loader operator or Hi-lift (engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, powder driven hole digger with less than 30' mast, trenching machine, concrete pump-boom type - Engineers for machine not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII - Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. & under, air compressor, over 500 cu. ft. (1) pumps, Battery, 3 to 6, fork-lift, bobcat and similar equipment, generator plant engineer, diesel elec., winch truck with A-frame, roller, all types, outside elevator or building type of personnel, hoist, concrete buster or tamper, heaters under jurisdiction of Operating Engineers, firman, boiler operator, crushing plants, oiler distributor, pulverizer, farmer tractor with or without attachments, batch plant operator (portable), conveyor-operator duel, continuous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large wharves when and if required, operator for rotary drilling machines when operated from console or machine - Engineers for machines not listed under the above classifications shall receive the scale comparable to those classifications

GROUP VIII - Gresser, tilt top trailer operator
GROUP IX - Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft., and under (1 or 2), welding machine (1 or 2) pump (1 or 2), fuelman, conveyor operator-single continuous belt bulk handling

GROUP X - Asphalt lay machine back end man, mechanic helper and welder helper
GROUP XI - Truck crane oiler driver or track crane oiler

	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation Education and/or Appr. Tr.
ROOFERS	9.15	.60	.25	.04
SHEET METAL WORKERS	9.53	.50	.66	.10
SOFT FLOOR LAYERS	7.71		.45	.03
SPRINKLER FITTERS	11.15	.65	.95	.08
TERRAZZO WORKERS	9.90		.30	
TERRAZZO WORKERS' & Tile layers finishers	8.19			
TERRAZZO WORKERS' floor machine operator	8.30			
TERRAZZO WORKERS' base machine operator	8.51			
TILE LAYERS	9.90		.30	

	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation Education and/or Appr. Tr.
TRUCK DRIVERS: (DELAWARE COUNTY)				
Group I	7.55			
Group II	7.65			
Group III	7.75			
Group IV	7.70			
Group V	7.85			

DELAWARE COUNTY - TRUCK DRIVERS CLASSIFICATION DEFINITIONS

GROUP I - Pick-up 1½ tons, or 2½ yards and up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake bodies and buses.

GROUP II - 3 tons or 4 yards and up to but not including 4 tons or 6 yards

GROUP III - 5 tons or 6 yards and over including heavy equipment such as pole trucks, winch trucks, euclids, Mississippi wagons, semi-dumps, tounner pulls, or other heavy material moving equipment, tractor trailer drivers and similar equipment, such as tractors, ten wheelers

GROUP IV - Ready mix concrete trucks up to but not including 3 yards

GROUP V - Ready mix concrete trucks 3 yards and over

TRUCK DRIVERS (TULSA, CREEK, CRAIG, OTTAWA, MAYES & ROGERS COUNTIES)

	Basic Hourly Rates	H & W	Pensions	Vacation Education and/or Appr. Tr.
Group I	8.83			
Group II	8.88			
Group III	8.98			
Group IV	8.98			
Group V	8.98			

TULSA, CREEK, CRAIG, OTTAWA, MAYES AND ROGERS COUNTIES - TRUCK DRIVERS CLASSIFICATION DEFINITIONS

Group I - Truck drivers, including pick-up, 1½ tons or 2½ yards up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake body or bus driver

Group II - 3 tons or 4 yards up to but not including 4 tons or 6 yards.

Group III - 5 tons or 6 yards and over including heavy equipment

Group IV - Ready mix concrete truck

Group V - Tractor-trailer and similar equipment

FOOTNOTES:

- a - 1 6 mos. none; 6 mos. to 5 yrs. - 6%; over 5 years - 8% of basic hourly rate.
b - Paid Holidays - A through F

PAID HOLIDAYS:

- A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

DECISION NO. OK78-4056

SUPERSIDES DECISION

STATE: Oklahoma

COUNTY: Muskogee, Adair, Cherokee and Okmulgee

DECISION NO. OK78-4056
Supersides Decision No. OK77-4284, dated September 30, 1977 in 42 FR 53109
DESCRIPTION OF WORK: Building Construction (but does not include single family homes and garden type apartments up to and including 4 stories), and heavy construction within the City of Muskogee.

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Elevator Constructors	10.40	.545	.35	48+atb		.02
Glaziers	9.16	.50	.30			.01
Ironworkers	10.10	.45	.65			.12
Laborers:						
Area I -- Muskogee, Adair & Cherokee						
Area II -- Okmulgee						

ALL DIGGING AND DIRT WORK, FIRING OF SALAMANDERS AND PORTABLE SPACE HEATERS.
ALL LOADING AND UNLOADING OF MATERIALS AND EQUIPMENT. ALL LOADING AND UNLOADING OF MATERIALS TO AND FROM HOIST OR CAGES FOR STOCK PILING ONLY. WHEELING AND PLACING OF CONCRETE. HANDLING OF LUMBER, STEEL, CEMENT AND DISTRIBUTION OF MATERIALS. ALL CLEANING, INCLUDING CLEANING OF WINDOWS. ALL WRECKING AND RAZING OF BUILDINGS AND ALL STRUCTURES, CLEANING AND CLEARING OF DEBRIS. LOADING AND UNLOADING OF MATERIALS, HOIST OR CAGES, EXCEPT WHEN THE WORK IS DIRECTLY TENDING LATHERS, MASONS OR PLASTERERS. WATER BOYS, WHEN USED. CARPENTERS' TENDERS.

Area I 6.85 .25 .40
Area II 7.65 .25 .40

ALL MACHINE TOOL OPERATORS THAT COME UNDER THE JURISDICTION OF THE LABORERS.
ALL SEWER AND DRAIN TILE LAYERS AND HANDLING AT THE DITCH, EXCLUDING DISTRIBUTION OPERATORS OF WATER PUMPS UP TO FOUR INCHES AND SLIP FORM JACKS. ALL MEN ERECTING SCAFFOLDS AND DIRECTLY TENDING LATHERS, MASONS, CEMENT MASONS AND PLASTERERS. MORTAR MIXERS, HOD CARRIERS AND DRY MIXERS. HIGH WORK OVER 30 FEET FROM GROUND OR FLOORS. CEMENT FINISHER HELPER. WORK ON SWAGING SCAFFOLD. ALL KETTLE AND POT MAN, TANK CLEANING, ALL PIPE DOPING, TREATING AND WRAPPING, INCLUDING ALL MEN WORKING WITH DOPE. MORTAR AND PLASTER-MIXING MACHINE, PUMP-CRETE MACHINE, AND GUNITE MIXING MACHINES, INCLUDING PLACING OF CONCRETE. HANDLING CRESOTED TREATED MATERIALS, LIQUID ACID, OR LIKE MATERIALS WHEN INJURIOUS TO HEALTH, EYES AND SKIN OR CLOTHES. ALL NEWLY DEVELOPED MECHANICAL EQUIPMENT WHICH REPLACES WHEEL BARROWS OR BUGGIES PREVIOUSLY USED BY LABORERS. ALL SCALE MEN ON BATCH PLANTS. ALL LABORERS SCREENING SAND, RUNNING SAND DRIER, AND FEEDING OPERATING SAND BLASTER, EXCEPT NOZZLE. ALL FLAG MEN, SIGNAL MEN AND CUTTING TORCH OPERATORS IN CONNECTION WITH LABORERS' WORK. CONCRETE GRADER.

Area I 7.15 .25 .40
Area II 7.95 .25 .40
WAGON DRILL OPERATOR
Area I 7.35 .25 .40
Area II 8.05 .25 .40
POWDERMAN OR BLASTER
Area I 7.35 .25 .40
Area II 8.50 .25 .40

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation	Education and/or Appr. Tr.	
Asbestos Workers	\$12.20	.35	.75			.015
Boilermakers	10.55	.80	1.00			.02
Bricklayers	10.25	.45	.40			.05
Carpenters:						
Area I	8.85	.45	.75			.06
Area II	8.35	.45	.75			.05
Millwrights & Pile-Drivers:						
Area I	9.35	.45	.65			.06
Area II	9.70	.45	.75			.05

CARPENTERS-MILLWRIGHTS-PILEDRIVERS-AREA DEFINITIONS

AREA I -- MUSKOGEE, ADAIR & CHEROKEE

AREA II -- OKMULGEE

Cement Masons:	9.55					
Area I	9.80					
Cement Masons	9.55					
Power Tool Operator	9.80					
Area II						
Cement Masons	10.22		.40			.16
Power Tool Operator	10.47		.40			.16

CEMENT MASONS & POWER TOOL OPERATORS AREA DEFINITIONS

Area I -- Adair, Cherokee, Muskogee and Southern portion of Okmulgee

Area II -- Northern portion of Okmulgee

Electricians:						
Zone I -- A 20 mile radius from Post Office of City of Muskogee						
Zone II -- Area outside Zone I						
Zone III Okmulgee						
Zone I						
Electricians	10.93	.60	3%			1/2%
Cable splicers	11.33	.60	3%			1/2%
Zone II						
Electricians	11.23	.60	3%			1/2%
Cable splicers	11.63	.60	3%			1/2%
Zone III						
Electricians	10.65	.46	3%+.40	.30		.07
Cable splicers	10.90	.46	3%+.40	.30		.07

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Aspr. Tr.
		H & W	Pensions	Vacation	
Lathers	\$8.65		.30		.01
Line Construction:					
Lineman	9.85		3%		1/2%
Cable splicers	10.44		3%		1/2%
Hole digger operator	8.94		3%		1/2%
Heavy equipment operator (pole or cat equivalent)	8.94		3%		1/2%
Jack Hammerman	7.37		3%		1/2%
Line truck driver (winch operator)	8.09		3%		1/2%
Powderman	8.94		3%		1/2%
Groundman	6.57		3%		1/2%
Truck driver (flat bed ton and half and under)	7.02		3%		1/2%
Marble, Tile & Terrazzo Workers	9.90		.30		
Painters (Okmulgee):					
Brush	10.40		.40		.07
Highwork and stage	10.80		.40		.07
Spray and sandblasting	11.05		.40		.07
Hot or bituminous	11.70		.40		.07
Sheetrock hand tools	10.40		.40		.07
Sheetrock power tools	10.75		.40		.07
Hazardous work	12.60		.40		.07
Painters (Adair, Muskogee & Cherokee Counties, Oklahoma):					
Brush painting & roller	8.50		.40	.20	.07
Highwork & Stage	8.90		.40	.20	.07
Sandblasting & Spray	9.15		.40	.20	.07
Hot or Bituminous	9.80		.40	.20	.07
Hazardous work	10.65		.40	.20	.07
Sheetrock power tools	8.85		.40	.20	.07
Plumbers & Pipefitters	11.30	.50	.80		.15
Plasterers	9.15				.01
POWER EQUIPMENT OPERATORS:					
GROUP	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Aspr. Tr.
		H & W	Pensions	Vacation	
I	11.25	.45	.50		.12
II	11.00	.45	.50		.12
III	10.75	.45	.50		.12
IV	10.50	.45	.50		.12
V	10.25	.45	.50		.12
VI	10.00	.45	.50		.12
VII	9.75	.45	.50		.12
VIII	9.50	.45	.50		.12
IX	8.75	.45	.50		.12
X	8.75	.45	.50		.12
XI	8.75	.45	.50		.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

Group I

All crane type equipment with 250' of boom or over (including jib)

Group II

All crane type equipment with 200' of boom or over (including jib)

Group III

All crane type equipment with 150 - 200' of boom (including jib)

Group IV

All crane type equipment with 100 - 150' of boom (including jib), all tower cranes all crane type equipment of 3 cu. yd. or more (as rated by mfg), side-boom (booms 30' & over), guy derrick

Group V

Heavy duty mechanic, welder, crane-hook & overhead monorail, whirley, panel board, batch plant operator, piledriver, engineer, dragline, shovel, clamshell, backhoe (3/4 yd & over); sideboom (under 30'), gradall, hydro crane, cherry picker, hoist while operating 2 or more drums, hoists while doing stack & chimney work (1 or 2 drums), power driven hole digger (with 30' & longer mast)

Group VI

Motor patrol (blade), fork lift (35' & over), dozer (engine h.p. 65 or over) forsdon tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, toumapull, DW 10, 15, 16, 20, 21 and similar rubber-tired equipment, Euclid, TS-24 and similar, loader operator or Hi-Lift (engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump boom type-- Engineers for machine not listed under the above classifications shall receive the scale comparable to these classifications

Group VII

Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. & over, sand barge, dredging machine, tugger, hoist -- when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. & under, air compressor, over 500 cu. ft. (1) pumps, Battery, 3 to 6, fork-lift, bobcat and similar equipment, generator plant engineer, diesel elec., winch truck with a frame, roller, all types, outside elevator or building type of personnel, hoist, concrete buster or tamper, heaters under jurisdiction of Opera. engrs., fireman, boiler operator, crushing plants, oiler distributor, pulvmixer, conveyor pump, form grader, screening plant, batch plant pump operator, signal man on large wharfs when and if required, operator for rotary drilling machines when operated from console or machines -- Engineers for machines not listed under the above classifications shall receive the scale comparable to those classifications

Group VIII

Greaser, tilt top trailer operator

Group IX

Permanent elevator -- building type (automatic), concrete mixer with hopper less than 1-cu. ft., air compressor, 500 cu. ft., and under (1 or 2), welding machine (1 or 2), pump (1 or 2), fuelman, conveyor operator--single-continuous belt bulk handling

Group X

Asphalt lay machine back end man, mechanic helper, welder helper

Group XI

Truck crane oiler driver or track crane oiler

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
Roofers	\$ 9.15	.60	.25		.04
Sheet Metal Workers	9.55	.50	.66		.10
Sprinkler Fitters	11.60	.75	1.05		.08
Levrazzo Workers Finisher	8.19				
Levrazzo Workers Floor Operator	8.30				
Levrazzo Workers Base Machine Op.	8.51				
Truck Drivers:					
Group 1	\$ 8.05				
Group 2	8.13				
Group 3	8.25				
Group 4	8.18				
Group 5	8.35				

TRUCK DRIVERS CLASSIFICATION DEFINITIONS

- Group I
pick-up 1 1/2 tons, or 2 1/2 yards and up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake bodies and buses
- Group II
3 tons or 4 yards and up to but not including 4 tons or 6 yards
- Group III
5 tons or 6 yards and over including heavy equipment such as pole trucks, winch trucks, euclids, Mississippi wagons, semi-dumps, turner pulls, or other heavy material moving equipment, tractor trailer drivers and similar equipment, such as tractors, ten wheelers
- Group IV
Ready-mix concrete trucks up to but not including 3 yards
- Group V
Ready-mix concrete trucks 3 yards and over

FOOTNOTES:

a. 1st 6 mos. to 5 yrs. - 6%; over 5 yrs. - 8% of basic hourly rate.

b. Paid holidays - A through F

PAID HOLIDAYS:

A-New Years Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day

SUPERSEDES DECISION

STATE: Oklahoma

COUNTY: Latimer, LeFlore, Haskell

DECISION NO. OK78-4057

DATE: Date of Publication

SUPERSEDES DECISION NO. OK77-4270 dated September 30, 1977 in 42 FR 52878

DESCRIPTION OF WORK: Building Construction (but does not include single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ASBESTOS WORKERS	\$12.20	.35	.75		.015
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS-STONEMASONS	10.25	.45	.40		.05
CARPENTERS:					
AREA I	8.00	.45	.40		
Carpenters	8.60	.45	.40		
Millerwrights & Piledrivermen					
AREA II	8.52	.45	.35		.05
Carpenters	9.28	.45	.35		.05
Millerwrights & Piledrivermen					
AREA III	8.85	.45	.65		.06
Carpenters					
Millerwrights & Piledrivermen					
AREA IV	7.80	.45	.65		.06
Carpenters	8.47				
Millerwrights & Piledrivermen					
CARPENTERS, MILLERWRIGHTS & PILEDRIEVERMEN AREA DEFINITIONS					

AREA I
That portion of LeFlore County south of the northern boundary of the Ouachita National Forest; Latimer County and that portion of Haskell County south of Highway 9

AREA II
That portion of LeFlore County east of Highway 82 with the line extending south of the Highway 82 to Highway 9 and the northern portion of LeFlore County north of the Ouachita National Forest; Sequoyah County east of Highway 82 excluding the city of Vivan.

AREA III
Remainder of Haskell and Sequoyah Counties

AREA IV
Pushmataha County

CEMENT MASONS:

LeFlore County

Pushmataha, Latimer & Haskell Co.

Sequoyah County

9.55

.25

8.67

10.65

10.90

.35

.35

3%+5.5%

3%+5.5%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

1/4%

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ELECTRICIANS (CONT'D)						
AREA II						
Electricians	\$10.93	.60	3%			1/2%
Cable splicers	11.33	.60	3%			1/2%
AREA III						
Electricians	11.23	.60	3%			1/2%
Cable splicers	11.63	.60	3%			1/2%

ELECTRICIANS-CABLE SPICERS AREA DEFINITIONS

AREA I
 Braden, Pocola and Spiro Townships only in Leflore County; That part of Sequoyah County east of Brent, Pricers, Chapel, Rocky Mount and Sallisaw.

AREA II
 That part of Sequoyah County within a five mile radius of the Post Office in Sallisaw.

AREA III
 Remainder of Leflore County; Remainder of Sequoyah County; All of Haskell, Pushmataha and Latimer Counties.

GLAZIERS	9.16	.50	.30			.01
IRONWORKERS	10.10	.45	.65			.12
LABORERS (Haskell, Leflore and Sequoyah Counties):						
Area I	6.85	.25	.40			
Area II	7.15	.25	.40			
Area III	7.35	.25	.40			
Area IV	7.35	.25	.40			
LABORERS (Latimer & Pushmataha Counties):						
Area I	6.45	.25	.40			
Area II	6.75	.25	.40			
Area III	6.95	.25	.40			
Area IV	6.95	.25	.40			

LABORERS CLASSIFICATION DEFINITION

AREA I
 Unskilled laborers

AREA II
 Semi-skilled laborers, mason tenders, mortar mixers, air tool operator, (jackhammer, vibrator), pipelayers, concrete and clay, sewer drain, and plasterer tenders.

AREA III
 Wagon drill operator

AREA IV
 Powderman or blasterers

NOTICES

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
LINE CONSTRUCTION:						
Lineman	\$ 9.85		3%			1/2%
Cable splicers	10.44		3%			1/2%
Hot digger operator	8.94		3%			1/2%
Heavy equipment operator (or pole cat equivalent)	8.94		3%			1/2%
Line truck driver (winch op.)	8.09		3%			1/2%
Jackhammer man	7.37		3%			1/2%
Powd'rman	8.94		3%			1/2%
Groundman (1st year)	5.12		3%			1/2%
Groundman	6.57		3%			1/2%
Truck driver (flat bed, ton and half and under)	7.02		3%			1/2%
MARBLE SETTERS	9.90		.30			
TILE & TERRAZZO WORKERS	9.90		.30			
TILE & TERRAZZO FINISHERS:						
Experienced finishers	8.19					
Floor machine operator	8.30					
Base machine operator	8.51					
PAINTERS:						
Brush & roller	8.50		.40	.20		.07
Highwork and stage	8.90		.40	.20		.07
Sandblasting & spray painting	9.15		.40	.20		.07
Hot or bituminous	9.80		.40	.20		.07
Hazardous work	10.65		.40	.20		.07
Sheetrock power tools	8.85		.40	.20		.07
PLASTERERS:						
Leflore County	9.25					.02
Sequoyah County	9.65					.01
PLUMBERS & PIPEFITTERS:						
Pushmataha County	11.67	.60	.85			.10
Leflore, Sequoyah, Latimer and Haskell Counties						
ROOFERS	11.50	.50	.80			.15
SHEET METAL WORKERS	9.15	.60	.25			.04
SOFT FLOOR LAYERS	9.53	.50	.66			.10
SPRINKLER FITTERS	7.71		.45	.74+a		.03
TRUCK DRIVERS:	11.60	.75	1.05			.08
Group 1						
Group 2	8.03					
Group 3	8.13					
Group 4	8.23					
Group 5	8.18					
	8.33					

TRUCK DRIVERS CLASSIFICATION DEFINITIONS

- GROUP I**
Pick-up 1½ tons, or 2½ yards and up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake bodies and buses
- GROUP II**
3 tons or 4 yards and up to but not including 4 tons or 6 yards
- GROUP III**
5 tons or 6 yards and over including heavy equipment such as pole trucks, winch trucks, euclids, Mississippi wagons, semi-dumps, turner pulls, or other heavy material moving equipment, tractor trailer drivers and semitrailer equipment, such as tractors, ten wheelers
- GROUP IV**
Ready-mix concrete trucks up to but not including 3 yards
- GROUP V**
Ready-mix concrete trucks 3 yards and over

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		M & W	Pensions	Vacation	
POWER EQUIPMENT OPERATORS:					
Group I	\$11.25	.45	.50		.12
Group II	11.00	.45	.50		.12
Group III	10.75	.45	.50		.12
Group IV	10.50	.45	.50		.12
Group V	10.25	.45	.50		.12
Group VI	10.00	.45	.50		.12
Group VII	9.75	.45	.50		.12
Group VIII	9.50	.45	.50		.12
Group IX	8.75	.45	.50		.12
Group X	8.75	.45	.50		.12
Group XI	8.75	.45	.50		.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

- GROUP I**
All crane type equipment with 250' of boom or over (including jib)
- GROUP II**
All crane type equipment with 200' of boom or over (including jib)
- GROUP III**
All crane type equipment with 150 - 200' of boom (including jib)
- GROUP IV**
All crane type equipment with 100 - 150' of boom (including jib), all tower cranes and all crane type equipment of 3 cu. yd. or more (as rated by mfg), sideboom (booms (30' & over), guy derrick
- GROUP V**
Heavy duty mechanic, welder, crane-hood & overhead monorail, whirley, panel board, batch plant operator, piledriver engineer, dragline, shovel, clamshell, backhoe (¾ yd & over); sideboom (under 30'), grapple, hydro crane, cherry picker, hoist while operating 2 or more drums, hoists while doing stacks & chimney work (1 or 2 drums), power driven hole digger (with 30' and longer mast)

NOTICES

DECISION NO. OK78-4057
POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (CONT'D)

GROUP VI

Motor patrol (blade), fork lift (35' & over), dozer (engine h.p. 65 or over), forsdon tractor or like equipment with hoe or loader equipment of ditcher, scraper type equipment, tounapull, DW 10, 15, 16, 20, 21 and similar rubber tired equipment, euclid, TS-24 and similar, loader operator or Hi-lift (engine h.p. 65 or over), asphalt lay machine, tail boom, conveyor-multiple, panel board control, powder driven hole digger with less than 30' mast, trenching machine, concrete pump-boom type - Engineers for machine not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII

Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. & under, air compressor, over 500 cu. ft. (1) pumps, Battery, 3 to 6, fork-lift, bobcat and similar equipment, generator plant engineer, diesel elec., winch truck with A-frame, roller, all types, outside elevator or building type of personnel, hoist, concrete buster or tamper, heaters under jurisdiction of Operating Engineers, fireman, boiler operator, crushing plants, oiler distributor, pulverizer, farmer tractor with or without attachments, batch plant operator (portable), conveyor-operator duel, continuous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large whirleys when and if required, operator for rotary drilling machines when operated from console or machines -- Engineers for machines not listed under the above classifications shall receive the scale comparable to those classifications

GROUP VIII

Gravel, tilt top trailer operator

GROUP IX

Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft., and under (1 or 2), welding machine (1 or 2) pump (1 or 2), fuelman, conveyor operator-single-continuous belt bulk handling

GROUP X

Asphalt lay machine back end man, mechanic helper and welder helper

GROUP XI

Truck crane oiler driver or track crane oiler

FOOTNOTES:

a. PAID HOLIDAYS

A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day;

E-Thanksgiving Day; F-Christmas Day.

SUPERSEDES DECISION

STATE: West Virginia
 LOCATION: State of West Virginia excluding the Counties of Berkeley, Jefferson, Morgan, & Nicholas
 DECISION No.: WV78-3018
 SUPERSEDES DECISION No. WV77-3101 Dated July 22, 1977 in 42 FR 37773
 DATE: Date of Publication
 DESCRIPTION OF WORK: Building construction (does not include single family homes and garden type apartments up to and including 4 stories). (See Heavy and Highway Construction General Wage Determination for all work in connection with the clearing and grading of the site, also all paving incidental to the project, and all incidental water lines and sewers utilities to within 5 feet of the building line, when such work is let as a separate contract by the owner or as a subcontract by the prime contractor).

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS:						
AREA 1	\$10.77	.59	.89			.03
AREA 2	11.56	.85	.90			
AREA 3	13.10	.50	.70			.03

AREAS COVERED BY ASBESTOS WORKERS

AREA 1 - Hampshire and Hardy Counties.

AREA 2 - Barbour, Brooke, Grant, Hancock, Harrison, Marion, Marshall, Mineral, Monongalia, Ohio, Taylor, Tucker, Tyler and Wetzel Counties.

AREA 3 - Boone, Braxton, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lewis, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Pendleton, Pleasants, Pocahontas, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Upshur, Wayne, Webster, Wirt, Wood and Wyoming Counties.

BOILERMAKERS:

	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
AREA 1	9.80	1.05	1.10	1.50	.02
AREA 2	9.815	7.5%	7%		.01

AREAS COVERED BY BOILERMAKERS

AREA 1 - Barbour, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hardy, Harrison, Jackson, Kanawha, Lewis, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Mingo, Monongalia, Monroe, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming Counties.

AREA 2 - Hancock County.

SUPERSEDES DECISION

STATE: South Dakota
 COUNTY: Minnehaha
 DECISION NUMBER: SD78-5102
 DATE: Date of Publication
 SUPERSEDES DECISION No. SD77-5086 dated September 23, 1977, in 42 FR 48722
 DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS	\$10.40	.50	\$1.00			.02
BOILERMAKERS	10.30	.85	1.00			.05
BRICKLAYERS; Stonemasons	11.35	.45	.40			
CARPENTERS:						
Carpenters; Piledriver, Drywall, Acoustical	10.16		.25			.05
MILLWRIGHTS	11.12		.25			.05
CEMENT MASONS	10.10					
ELECTRICIANS						1/2%
Electricians	10.40	.40	34+.50			1/2%
Cable Splicers	11.44	.40	34+.50			
GLAZIERS	8.14					
LABORERS:						
Laborers	4.35					
Mortar Mixers, Paving Breakers, Jack Hammer Operator	4.45					
Nozzleman (gunnite, sandblast and shotcrete)	4.60					
LATHERS	9.96					.01
PAINTERS:						
Brush	7.79					
Spray	8.29					
Tapers	8.04					
PLASTERERS	9.36					.01
PLUMBERS; Steamfitters	10.00	.55	.45	.43		.03
SHEET METAL WORKERS	9.97		.35	1.00		.08
SPRINKLER FITTERS	10.55	.75	1.05			

WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.

DECISION NO. WY78-3018

BRICKLAYERS, STONE MASONS,
MARBLE MASONS, TERRAZZO WORKERS,
& TILE LAYERS:

AREA 1

AREA 2

AREA 3

AREA 4

Bricklayers & Stone masons

Marble Masons, Terrazzo

workers, & Tile layers

AREA 5

Bricklayers & Stone Masons

Marble Masons, Terrazzo

Workers & Tile Layers

AREA 6

Bricklayers & Stone Masons

Marble Masons, Terrazzo

Workers & Tile Layers

AREA 7

Bricklayers & Stone Masons

Tile Layers

AREA 8

Bricklayers, Stone Masons

& Marble Masons,

Tile Setters & Terrazzo

Workers

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vocatioe		
10.54		.40			
11.13	.55	.50			.03
9.30					
11.52	.65	.75			
11.45	.65	.25			
12.64	.30	.30			
11.55	.30	.30			
10.85	.60				
10.35	.60				
9.63	.60	.64			.02
9.48	.60	.64			.02
10.73	.50	.25			.02
6.98	.50	.25			.02

DECISION NO. WY78-3018

AREAS COVERED BY BRICKLAYERS, STONE MASONS ETC

AREA 1 - Hampshire & Mineral Counties.

AREA 2 - Barbour, Doddridge, Gilmer, Grant, Hardy, Harrison, Lewis, Marion,
Monongalia, Pendleton, Pocahontas, Preston, Randolph, Taylor, Tucker, Upshur
and Webster Counties.

AREA 3 - McDowell, Mercer, Monroe & Wyoming Counties.

AREA 4 - Boone, Braxton, Clay, Fayette, Greenbrier, Kanawha, Putnam, Raleigh,
Summers and Logan Counties

AREA 5 - Cabell, Lincoln, Macon, Mingo and Wayne Counties.

AREA 6 - Calhoun, Jackson, Pleasants, Ritchie, Roane, Wirt and Wood Counties.

AREA 7 - Marshall, Ohio, Tyler and Wetzel Counties.

AREA 8 - Brooke & Hancock Counties.

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vocatioe		
CARPENTERS & PILEDRIEVERMEN:						
AREA 1						
Carpenters	11.00	.40	.20			.04
Contracts under \$100,000						
Contracts \$100,000 or	11.25	.40	.20			.04
more						
Piledrivermen	11.50	.40	.20			.04
Contracts under \$100,000						
Contracts \$100,000 or	11.75	.40	.20			.04
more						
AREA 2						
Carpenters	10.45	.45	.25			.02
Piledrivermen	10.75	.45	.25			.02
AREA 3						
Carpenters	10.45	.87	.85			.02
Piledrivermen	10.24	5%	10%			of 1%

NOTICES

25279

DECISION NO. WV70-3018

DECISION NO., WY70-3018	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
AREA 4 Carpenters Piledriversmen	12.07 12.35	.50 .50	.35 .35		.02 .02
AREA 5 Carpenters Piledriversmen	10.96 11.21	.40 .40	.25 .25		.02 .02
AREA 6 Carpenters Piledriversmen	10.17 10.46	.50 .50	.75 .75		.03 .03
AREA 7 Carpenters Piledriversmen	11.55 11.77	.50 .50	.35 .35		.02 .02
AREA 8 Carpenters Piledriversmen	11.40 11.55	.50 .50	.35 .35		.02 .02
AREA 9 Carpenters Piledriversmen	10.92 11.22	.50 .50	.35 .35		.02 .02

AREAS COVERED BY CARPENTERS & PILEDRIVERSMEN

AREA 1 - Barbour, Brexton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Pleasants, Preston, Randolph, Taylor, Tucker, Tyler, Upshur, Webster & Wetzel Counties.

AREA 2 - Grant, Hampshire, Hardy, Mineral & Pendleton Counties.

AREA 3 - Brooke, Hancock, Marshall & Ohio Counties.

AREA 4 - Boone, Clay, Greenbrier, Jackson (southern portion including the towns of Iden, Ripley & Hereford), Kanawha, Lincoln, Mason, Monroe, Pocahontas, Putnam & Roane Counties.

AREA 5 - Calhoun, Jackson (remainder of county), Ritchie, Wirt & Wood Counties.

DECISION NO. WV78-3018

AREAS COVERED BY CARPENTERS & PILEDRIVERSMEN (CONT'D)

AREA 6 - Cabell, Mingo & Wayne Counties.

AREA 7 - Fayette, McDowell, Mercer, Summers & Wyoming Counties.

AREA 8 - Logan County.

AREA 9 - Raleigh County.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocation	
CEMENT MASONS & PLASTERERS:					
AREA 1	10.34		.40		
AREA 2	10.70				
AREA 3	8.70				
AREA 4					
Cement Masons Plasterers	11.42 9.10	.70			.01
AREA 5					
Cement Masons Plasterers	8.11 8.25	.40 .25			.01
AREA 6					
Cement Masons Plasterers	9.71 8.51	.65 .30			.01
AREA 7					
Cement Masons Plasterers	11.70 10.25				.01
AREA 8					
Cement Masons	7.36	.38	.05	.30	.03
AREA 9	11.92	.70			
AREA 10					
Cement Masons	6.90	.35			
AREA 11	11.13	.55	.50	a	.03

DECISION NO. WY78-3018

AREAS COVERED BY CEMENT MASONS & PLASTERERS

- AREA 1 - Hampshire & Mineral Counties.
- AREA 2 - Calhoun, Gilmer, Jackson, Mason (northern portion of the county, south to but not including Point Pleasant), Pleasants, Ritchie, Tyler, Wirt & Wood Counties.
- AREA 3 - McDowell, Mercer, Monroe & Wyoming Counties.
- AREA 4 - Boone, Braxton, Clay, Fayette, Kanawha, Lincoln (eastern half of county), Logan, Putnam, Raleigh & Roane Counties.
- AREA 5 - Brooke (the northern portion of county to Buffalo Creek) and Hancock Counties.
- AREA 6 - Brooke (remainder of county), Marshall, Ohio & Wetzel Counties.
- AREA 7 - Barbour, Doddridge, Harrison, Lewis, Taylor, Tucker, Upshur and Webster Counties.
- AREA 8 - Marion, Monongalia Counties.
- AREA 9 - Cabell, Lincoln (remainder of county), Mason (remainder of county) & Wayne Counties.
- AREA 10 - Greenbrier County.
- AREA 11 - Grant, Hardy, Pendleton, Pocahontas & Randolph Counties.

DECISION NO. WY78-3018

ELECTRICIANS:

- Barbour, Doddridge, Harrison, Lewis, Randolph & Upshur Counties:
- Wiremen
Cable Splicers
Jackson, Pleasants, Ritchie, Tyler, Wirt & Wood Counties:
- Wiremen
Cable Splicers
Brooke (Buffalo Twp. only), Marshall, Ohio & Wetzel Counties:
- Wiremen
Cable Splicers
Brooke (remainder of county) and Hancock (except Grant Twp.) Counties:
- Wiremen
Cable Splicers
Cabell & Wayne Counties:
- Wiremen
Cable Splicers
Lincoln County:
- Wiremen
Cable Splicers
Logan, Mason & Mingo Counties:
- Wiremen
Cable Splicers
Mineral County:
- Wiremen
Hampshire County:
- Wiremen
Grant County:
- Wiremen
Greenbrier, McDowell, Mercer, Monroe & Pocahontas Counties:
- Wiremen
Cable Splicers

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
9.10	.50	38+.52	2.02		.03
10.01	.50	38+.52	2.02		.03
10.65	.50	38+.1.02	1.02		.04
10.90	.50	38+.1.02	1.02		.04
10.80	.50	38+.32	1.02		.04
11.05	.50	38+.32	1.02		.04
12.95	6%	9%	8%		$\frac{1}{2}$ of 1%
13.35	6%	9%	8%		$\frac{1}{2}$ of 1%
11.12	.50	38+.62	1.02		.04
11.69	.50	38+.62	1.02		.04
11.32	.50	38+.62	1.02		.04
11.89	.50	38+.62	1.02		.04
11.57	.50	38+.62	1.02		.04
12.15	.50	38+.62	1.02		.04
10.75	.70	38+.25			1%
10.95	.70	38+.25			1%
11.15	.70	38+.25			1%
8.51	.30	3%			$\frac{1}{2}$ of 1%
8.91	.30	3%			$\frac{1}{2}$ of 1%

NOTICES

25281

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
11.80	.50	38+.25	.25		.04
12.98	.50	38+.25	.25		.04
10.08	.545	.35	b+c		.02
7.06	.545	.35	b+c		.02
5.04					
10.66	.545	.35	b+c		.02
7.46	.545	.35	b+c		.02
5.33					
11.465	.745	.35	b+c		.02
8.025	.745	.35	b+c		.02
5.73					
10.98	.745	.56	b+c		.025
7.69	.745	.56	b+c		.025
5.49					
10.13		.70			.01
10.60					
5.40	.26	.20	.60+p		
6.10	.26	.20	.60+p		
8.42	.60	.50			

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
6.25	.50	38		3/4 of 18	
10.00	.50	38		3/4 of 18	
6.15	.50	38+1.02	1.52	.02	
9.50	.50	38+1.02	1.52	.02	
9.65	.50	38+1.02	1.52	.02	
10.26	.88	64 1/2	88	18	
10.66	.88	64 1/2	88	18	
8.87	.50	38+.52	.77	.06	
9.17	.50	38+.52	.77	.06	
11.77	.50	38+.52	.77	.06	
12.07	.50	38+.52	.77	.06	
8.67	.50	38+.52	.77	.06	
8.97	.50	38+.52	.77	.06	
11.57	.50	38+.52	.77	.06	
11.87	.50	38+.52	.77	.06	
8.37	.50	38+.52	.77	.06	
8.67	.50	38+.52	.77	.06	
11.27	.50	38+.52	.77	.06	
11.57	.50	38+.52	.77	.06	

DECISION NO. W778-3018

AREAS COVERED BY GLAZIERS

AREA 1 - Jackson, Pleasants, Ritchie, Boone, Tyler, Wirt & Wood Counties.
 AREA 2 - Boone, Cabell, Calhoun, Clay, Fayette, Greenbrier, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Pendleton, Pocahontas, Putnam, Raleigh, Summers, Wayne & Wyoming Counties.
 AREA 3 - Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Randolph, Taylor, Tucker, Upshur & Webster Counties.
 AREA 4 - Marshall, Ohio & Wetzel Counties.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appl. Tr.
		H & W	Pensions	Vacation	
IRONWORKERS - Structural, Ornamental & Reinforcing					
AREA 1	11.67	.90	1.05		.01
AREA 2	11.28	.70	.85		.03
AREA 3	11.63	.90	1.05		.09
AREA 4	10.44	.60	.90		.03
AREA 5	9.55	.60	.65		.03
AREA 6					
Zone 1 - 10 miles from Union Hall	11.27	.90	1.05		.01
Zone 2 - 10-15 miles from Union Hall	11.42	.90	1.05		.01
Zone 3 - 15-20 miles from Union Hall	11.52	.90	1.05		.01
Zone 4 - 20-25 miles from Union Hall	11.62	.90	1.05		.01

DECISION NO. W778-3018

AREA COVERED BY IRONWORKERS

AREA 1 - Calhoun, Doddridge, Gilmer, Jackson, Lewis, Mason, Pleasants, Ritchie, Roane, Upshur, Wirt & Wood Counties.
 AREA 2 - Barbour, Brooke, Hancock, Harrison, Marion, Marshall, Monongalia, Ohio, Taylor, Tyler & Wetzel Counties.
 AREA 3 - Boone, Braxton, Clay, Fayette, Kanawha, Lincoln, Logan, McDowell, Putnam, Raleigh, Webster & Wyoming Counties.
 AREA 4 - Grant, Hampshire, Hardy, Mineral, Pendleton, Preston, Randolph & Tucker Counties.
 AREA 5 - Greenbrier, Mercer, Monroe, Pocahontas & Summers Counties.
 AREA 6 - Cabell, Mingo & Wayne Counties.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appl. Tr.
		H & W	Pensions	Vacation	
LABORERS:					
AREA 1					
Group 1	8.72	.40	.40		.03
Group 2	9.02	.40	.40		.03
Group 3	9.37	.40	.40		.03
AREA 2					
Group 1	8.26	.40	.40		.03
Group 2	8.56	.40	.40		.03
Group 3	8.91	.40	.40		.03
AREA 3					
Group 1	8.00	.40	.40		.03
Group 2	8.30	.40	.40		.03
Group 3	8.65	.40	.40		.03
AREA 4					
Group 1	8.86	.40	.40		.03
Group 2	9.16	.40	.40		.03
Group 3	9.51	.40	.40		.03
AREA 5					
Group 1	8.41	.40	.40		.03
Group 2	8.73	.40	.40		.03
Group 3	9.08	.40	.40		.03

DECISION NO. WV78-3018	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H.S.W.	Pensions	Vacation	
AREA 6					
Group 1	8.40	.40	.40		.03
Group 2	8.70	.40	.40		.03
Group 3	9.05	.40	.40		.03
AREA 7					
Group 1	8.10	.40	.40		.03
Group 2	8.40	.40	.40		.03
Group 3	8.75	.40	.40		.03
AREA 8					
Group 1	8.40	.55	.40		.05
Group 2	8.50	.55	.40		.05
Group 3	8.565	.55	.40		.05
Group 4	8.60	.55	.40		.05
Group 5	8.75	.55	.40		.05
Group 6	8.78	.55	.40		.05
Group 7					
50' to 100'	8.73	.55	.40		.05
100' to 150'	8.90	.55	.40		.05
over 150'	9.30	.55	.40		.05
Group 8	9.08	.55	.40		.05
Group 9	8.645	.55	.40		.05
Group 10	8.93	.55	.40		.05
Group 11	8.73	.55	.40		.05
Group 12	9.23	.55	.40		.05

DECISION NO. WV78-3018

CLASSIFICATION DEFINITION

LABORERS - AREAS 1,2,3,4,5,6,7

GROUP 1 - Laborers; carpenter tender; flagmen; water boy; demolition worker; fire watch; landscape laborer.

GROUP 2 - Powderman helper; semi-skilled laborer; scaffold builders; chainmen & rod men; grale checker; signal man; brick masons tenders; plaster tenders; cement finishers tenders; stone masons tenders; lather's tenders; tile setters tenders; mortar mixers jackhammer operators; vibrator operators; tamper operators; pavement buster operators; chipping & peening hammer operators; air syphon & air pump operators; ripsaw finishers; concrete saw operators; concrete technician; power saw operators; chain saw operators; motorized buggy operators; pipelayers helpers; drill operators helpers; sheeters & shovers; post hole digger operators; asphalt rakers; lance and/or water blaster operators; blacksmith helpers; batch house scale operators; workmen working with acid mortar, acid brick, acid or mastic asphalt; workmen working creosote; nozzle men for gunnite or sandblasting; tool room attendants; tide or walk roller tamper.

GROUP 3 - Blacksmith; powdermen; air track operator; pipe layer (including laser beam set-up); burner.

LABORERS - AREA 8

GROUP 1 - General Laborers

GROUP 2 - Rodmen and Chainmen

GROUP 3 - All Brick Handlers, Tenders for Brick Masons, Plasterers, Stone Masons Tile Setters, Mortormen for Masons and Plasterers and Men Mixing Cement for Cement Finishers, Scaffold Builders, Mortar Mixer Machine Operator.

GROUP 4 - Laborers Operating Concrete Busters, Jack Hammers, Air Spades, Chipping Hammers, Air Tampers, Vibrators, Power Buggy, Concrete Saw, Power Saw, Sand-blastor, Acetylene Burners, Scuba Diver, Panel Cleaning Machine Operators, Signalmen, All Power Driven Tools, Air Pump, Air Blow Pipe, Pipelayer and Helper Working in Ditches or Tunnels and Hand Spikers on Railroads.

DECISION NO. WY78-3018

GROUP 5 - Instrument Men, Laser Beam

GROUP 6 - Laborers performing work pertaining to or in connection with and repair of Stoves, Blast Furnaces, Basic Oxygen Process Furnaces and Basic Oxygen Furnaces, Steeples and Stacks, Annealing Process Furnaces, Kilns, Soaking Pits, Coke Batteries on Industrial Work.

GROUP 7 - Demolition of Stacks

GROUP 8 - Blastmen and Helper, Bellman and Lancer, All Bottom men in Blast Furnaces, Stacks, Stoves and Dust Catchers.

GROUP 9 - Ditches, Trenches, Caissons and Coffers over 6' deep, open top

GROUP 10 - Miners including Caissons and Coffers, Horizontal or Underground, Mucking Machine Operators.

GROUP 11 - Tunnel Laborers, Muckers including Caissons and Coffers, Horizontal and Underground.

GROUP 12 - Guniting Nozzleman and Guniting Machine Operator--Grout Nozzleman and Grout Machine Operator.

AREAS COVERED BY LABORERS

AREA 1 - Boone, Clay, Fayette, Kanawha, Putnam & Roane Counties.

AREA 2 - Barbour, Braxton, Doddridge, Gilmer, Grant, Hampshire, Hardy, Harrison, Lewis, Marion, Mineral, Monongalia, Pendleton, Preston, Randolph, Taylor, Tucker, Upshur & Webster Counties.

AREA 3 - Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers & Wyoming Counties.

AREA 4 - Cabell, Lincoln, Mason & Wayne Counties.

AREA 5 - Logan & Mingo Counties.

AREA 6 - Calhoun, Jackson, Pleasants, Ritchie, Tyler, Wirt & Wood Counties.

AREA 7 - Marshall, Ohio & Wetzel Counties.

AREA 8 - Brooke & Hancock Counties.

DECISION NO. WY78-3018

LATHERS:

AREA 1
AREA 2
AREA 3
AREA 4
AREA 5
AREA 6

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
11.725		.10		
11.25		.20		.01
9.76	.50	.10		.01
8.98	.45	1.10		.01
9.315		.10		
10.38		.15		.01

AREAS COVERED BY LATHERS

AREA 1 - Boone, Clay, Fayette, Kanawha, Putnam & Roane Counties.

AREA 2 - Barbour, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Taylor, Tyler, Upshur & Wetzel Counties.

AREA 3 - Brooke, Marshall & Ohio Counties.

AREA 4 - Hancock County

AREA 5 - Cabell, Mason & Wayne Counties

AREA 6 - Calhoun, Jackson, Pleasants, Ritchie, Wirt & Wood Counties.

DECISION NO. WV78-3018	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocation	
Fayette County:					
Linenmen & Equipment Operators	11.57	.50	34+52	.77	1/2 of 14
Cable Splicers	11.87	.50	34+52	.77	1/2 of 14
Groundmen	9.26	.50	34+52	.77	1/2 of 14
Marion, Monongalia, Taylor & Tucker Counties:					
Linenmen & Equipment Operators	9.50	.50	34+1.02	1.52	1/2 of 14
Cable Splicers	10.45	.50	34+1.02	1.52	1/2 of 14
Groundmen & Truck Drivers	7.60	.50	34+1.02	1.52	1/2 of 14
Jackson, Pleasants, Ritchie, Tyler, Wirt & Wood Counties:					
Linenmen & Equipment Operators	10.70	.45	34+1.02	1.02	1/2 of 14
Cable Splicers	11.77	.45	34+1.02	1.02	1/2 of 14
Groundmen	8.56	.45	34+1.02	1.02	1/2 of 14
Brooke (Buffalo Twp. only), Marshall, Ohio & Netzel Counties:					
Linenmen & Equipment Operators	10.80	.50	34+32	1.02	1/2 of 14
Cable Splicers	11.05	.50	34+32	1.02	1/2 of 14
Groundmen	8.64	.50	34+32	1.02	1/2 of 14
Brooke (except Buffalo Twp.) & Hancock (except Grant Twp.) Counties:					
Linenmen & Equipment Operator	12.95	64	94	84	1/2 of 14
Cable Splicers	13.35	64	94	84	1/2 of 14
Groundmen	8.42	64	94	84	1/2 of 14
Barbour, Doddridge, Harrison, Lewis, Randolph, and Upshur Counties:					
Linenmen & Equipment Operators	9.10	.50	34+52	2.02	1/2 of 14
Cable Splicers	10.01	.50	34+52	2.02	1/2 of 14
Groundmen & truck drivers	7.28	.50	34+52	2.02	1/2 of 14
Boone, Braxton, Cabell, Calhoun, Clay, Gilmer, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Roane, Wayne & Webster Counties:					
Linenmen & Equipment Operators	11.28	.45	34+52	1.02	1/2 of 14
Cable Splicers	12.41	.45	34+52	1.02	1/2 of 14
Groundmen	9.02	.45	34+52	1.02	1/2 of 14

DECISION NO. WV78-3018	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocation	
LINE CONSTRUCTION:					
Greenbrier, McDowell, Mercer, Monroe & Pocahontas Counties:					
Linenmen	8.66	.35	34		1/2 of 14
Cable Splicers	9.06	.35	34		1/2 of 14
Equipment Operators	7.45	.35	34		1/2 of 14
Truck with earth boring auger	6.06	.35	34		1/2 of 14
Truck with winch & groundmen	4.76	.35	34		1/2 of 14
Mineral County:					
Linenmen	10.15	.50	34+25		1/2 of 14
Equipment Operators	9.64	.50	34+25		1/2 of 14
Truck drivers & groundmen	6.60	.50	34+25		1/2 of 14
Hampshire County:					
Linenmen	10.35	.50	34+25		1/2 of 14
Equipment Operators	9.84	.50	34+25		1/2 of 14
Truck drivers & groundmen	6.80	.50	34+25		1/2 of 14
Grant County:					
Linenmen	10.55	.50	34+25		1/2 of 14
Equipment Operators	10.04	.50	34+25		1/2 of 14
Truck drivers & groundmen	7.00	.50	34+25		1/2 of 14
Hardy & Pendleton Counties:					
Linenmen, cable splicers & equipment operators	12.11	.45	34		1/2 of 14
Truck with winch, pole or steel handling	7.43	.45	34		1/2 of 14
Groundmen	7.17	.45	34		1/2 of 14
Hancock County - Grant Twp. only:					
Linenmen & Equipment Operators	10.26	84	64	84	14
Cable Splicers	10.66	84	64	84	14
Truck Drivers & Groundmen	9.36	84	64	84	14
Raleigh:					
Linenmen & Equipment Operators	11.27	.50	34+52	.77	1/2 of 14
Cable Splicer	11.57	.50	34+52	.77	1/2 of 14
Groundmen	9.02	.50	34+52	.77	1/2 of 14
Summers & Wyoming Counties:					
Linenmen & Equipment Operators	11.77	.50	34+52	.77	1/2 of 14
Cable Splicers	12.07	.50	34+52	.77	1/2 of 14
Groundmen	9.42	.50	34+52	.77	1/2 of 14

DECISION NO. W78-3018	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
MARBLE, TERRAZZO & TILE FINISHERS: Statewide except for the Counties of Berkeley, Brooke, Cabell, Hancock, Jefferson, Lincoln, Mason (that portion south of the Kanawha River), Morgan, Nicholas & Preston:					
Finishers	9.55	.65			
Terrazzo floor grinders	9.70	.65			
Terrazzo base grinding machine	9.80	.65			
Cabell, Lincoln, Mason (that portion south of the Kanawha River), & Wayne Counties	8.73	.30	.30		.02
MILLRIGHTS:					
AREA 1	10.81	.45	.25		.03
AREA 2	10.79	.40	.37		.04
AREA 3	11.53	.40	.20		.02
AREA 4	10.37	.50	.64		.02
AREA 5	12.35	.50	.35		.10
AREA 6	11.20	.50	.55		

AREAS COVERED BY MILLRIGHTS

AREA 1 - Grant, Hampshire, Hardy, Mineral & Pendleton Counties.

AREA 2 - Cabell & Wayne Counties.

AREA 3 - Barbour, Doddridge, Gilmer, Harrison, Marion, Lewis, Monongalia, Randolph, Taylor, Tucker, Upshur & Webster Counties.

AREA 4 - Brooke, Hancock, Marshall & Ohio Counties.

AREA 5 - Boone, Clay, Fayette, Greenbrier, Jackson (southern portion including the towns of Leon, Rippley & Hereford), Kanawha, Logan, Mason, McBowell, Mercer, Mingo, Monroe, Pocahontas, Putnam, Raleigh, Roane, Braxton, Lincoln, Summers, and Wyoming Counties.

AREA 6 - Calhoun, Jackson (remainder of county), Pleasants, Ritchie, Tyler, Wetzel, Wirt, & Wood Counties.

DECISION NO. W78-3018	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
PAINTERS:					
AREA 1					
Brush, rollers, hanging wallcovering & installing seamless type floors	7.95		.50		
Spray, sandblasting & use of toxic materials	8.45		.50		
Drywall:					
Taping, spackling, sanding & finishing	9.85		.50		
AREA 2					
Painters -					
An area within 50 miles of Huntington, W.V.	8.22	.30	.35		.02
An area 50 miles and beyond of Huntington, W.V.	9.47	.30	.35		.02
Vinyl & all other wall covering; drywall taping -					
An area within 50 miles of Huntington, W.V.	8.72	.30	.35		.02
An area 50 miles and beyond of Huntington, W.V.	9.97	.30	.35		.02
Repaint work (limited to Public Schools) -					
An area within 50 miles of Huntington, W.V.	6.38	.30	.35		.02
An area 50 miles and beyond of Huntington, W.V.	7.63	.30	.35		.02
AREA 3					
Brush, roller, paper, vinyl hangings & seamless floors	8.82	.65	.15		.01
Glove	9.07	.65	.15		.01
Perfa-taping	9.19	.65	.15		.01
Brush height over 40'	9.32	.65	.15		.01
Spray, sandblast, seamless floor epoxy & steam cleaning	9.82	.65	.15		.01
AREA 4					
Brush & roller	6.20	.50	.40		
Spray	7.20	.50	.40		
Vinyl hanging & taping	8.15	.50	.40		

DECISION NO. W78-3018	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appl. Tr.
		H & W	Pensions	Vacation		
AREA 5	8.40	.50	.20	.30		
Commercial	8.65	.50	.20	.30		
Drywall finishers	8.75	.50	.20	.30		
Swing & boat swain chair	8.90	.50	.20	.30		
Vinyl wall covering						
Structural steel after erection	9.25	.50	.20	.30		
Repaint structural steel	8.50	.50	.20	.30		
Spray painting	9.40	.50	.20	.30		
Towers, tanks & stacks	9.65	.50	.20	.30		
Sandblasting	10.25	.50	.20	.30		
Extra pay of height's 50' to 100' (+.50 p. h. hour); over 100' (+\$1.00 per hour)						
AREA 6						
New Construction:						
Brush	9.56		.30		.01	
Roller	9.82		.30		.01	
Spray & Blast	10.58		.30		.01	
Pot-men	10.58		.30		.01	
Commercial Repaint:						
Brush	8.14		.30		.01	
Roller	8.42		.30		.01	
Paperhanger	9.56		.30		.01	
Drywall	10.01		.30		.01	
Spray, pot-men	10.58		.30		.01	
Paper & vinyl hangers	9.56		.30		.01	
Open structural steel	9.91		.30		.01	
Dry-wall pointers & tapers	10.01		.30		.01	
Liquid tile brush	10.33		.30		.01	
Stacks, vent pipes, flag poles, electrical, radio & T.V. towers & tanks over 30' high	10.51		.30		.01	
Hydroject, steam cleaning & glove work	10.58		.30		.01	
Operating mechanical tapping machines	11.01		.30		.01	

DECISION NO. W78-3018	REPAINT		NEW	Fringe Benefits Payments				Education and/or Appl. Tr.
	Basic Hourly Rates	Basic Hourly Rates		H & W	Pensions	Vacation		
AREA 7	8.36	9.18						
Air compressor Operator	8.36	9.18		.55				.02
Brush Painting Roller, Dry-Wall Pointers & Tapers				.55				.02
Dipping & Mitten Work & Spray								
Water Blasters, Steam Jenny, Nozzle Men, Swinging Scaffold & Boutswein Chair, Window Jack Work	8.72	9.50		.55				.02
Brush Painters on Bridges, Needle Beam, Cable Work, Tower Tool Work, Brush & Flame Cleaning	9.47	10.03		.55				.02
Operating Mechanical Taping Machines	9.90	10.41		.55				.02
Sand Blasters	10.12	10.77		.55				.02
All Stacks, Vent Pipes, Flag Poles in excess of 30' high, all Towers, Water Towers, Elevated Tanks, Electrical Switch Yards, Transformer Banks & Television Towers	10.23	10.74		.55				.02
Vinyl hangers & Paper hangers (with tools)	11.29	11.69		.55				.02
	8.71	9.50		.55				.02

DECISION NO. WV78-3018

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
AREA 8 Brush & Roller: Commercial Industrial Commercial Spray Structural Steel: Industrial Paperhanging & Wallcovering under 48" Paperhanging & Wallcovering over 48" Drywall Finishing Drywall Machine Tools Power Cleaning Tools - 50¢ over appropriate scale Material emitting toxic vapor - \$1.00 over appropriate scale Height clause - Additional \$1.00 per hour per 100'	8.50 9.75 8.50 11.50 8.50 9.00 9.50 10.10			

AREAS COVERED BY PAINTERS

- AREA 1 - Grant, Hampshire, Hardy, Mineral & Pendleton Counties.
 AREA 2 - Cabell, Lincoln, Logan, Mason, Mingo & Wayne Counties.
 AREA 3 - Brooke (south of Buffalo Creek), Marshall, Ohio & Wetzel Counties.
 AREA 4 - Brooke (remainder of county) & Hancock Counties.
 AREA 5 - Barbours, Doddridge, Gilmer, Harrison, Lewis, Marion, Randolph, Taylor, Tucker, Upshur & Webster Counties.
 AREA 6 - Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt & Wood Counties.
 AREA 7 - Boone, Braxton, Clay, Fayette, Greenbrier, Kanawha, McDowell, Mercer, Monroe, Pocahontas, Putnam, Raleigh, Summers & Wyoming Counties.
 AREA 8 - Monongalia and Preston Counties

DECISION NO. WV78-3018

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
PLUMBERS & PIPEFITTERS: AREA 1 AREA 2 AREA 3 AREA 4 AREA 5 AREA 6 AREA 7 AREA 8 Commercial Work Repair Work Zone 1 - within an 8 mile radius of Cabell County Courthouse, Huntington, K.V. ZONE 2 - 8 to 15 miles from the courthouse ZONE 3 - 15 to 25 miles from the courthouse ZONE 4 - Over 25 miles from the courthouse AREA 9 Contracts to \$75,000 Contracts above \$75,000	.50 10.02 10.27 10.52 10.77 10.45 10.46 10.93 10.74 10.88 11.08 11.28 11.53 8.55 11.42	.90 10% 10% 10% 10% 1.05 7% .60 .60 1.40 1.40 1.40 1.40 .45 .45	10% 10% 10% 10% 1.05 8%	.04

AREAS COVERED BY PLUMBERS & PIPEFITTERS

- AREA 1 - Harrison, Marion & Monongalia Counties
 AREA 2 - Barlow, Doddridge, Lewis, Preston, Taylor & Upshur Counties.
 AREA 3 - Braxton (that portion north of the southern corporate limits of the city of Sutton), Gilmer, Randolph, Tucker & Webster (that portion north of the southern city limits of Webster Springs) Counties.
 AREA 4 - Grant, Hampshire, Hardy, Mineral & Pendleton Counties.
 AREA 5 - Brooke (south of Buffalo Creek), Marshall, Ohio & Wetzel Counties.
 AREA 6 - Brooke (remainder of county) & Hancock Counties.
 AREA 7 - Calhoun, Jackson (northern portion to but not including the Town of Ripley), Pleasants, Ritchie, Roane (northern portion up to but not including Spencer), Tyler, Wirt & Wood Counties.
 AREA 8 - Boone (southwest portion to but not including the Towns of Madison & Whitesville), Cabell, Lincoln, Logan, Mason, Mingo & Wayne Counties.
 AREA 9 - McDowell, Mercer, Monroe, Raleigh & Wyoming Counties.

DECISION NO. WV78-3018		Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
PLUMBERS & STEAMFITTERS:					
Plumbers		9.78	.45	.30	.05
Steamfitters		9.82	.45	.15	.05

AREA COVERED BY PLUMBERS & STEAMFITTERS

Boone (remainder of county) Braxton (remainder of county), Clay, Fayette, Greenbrier, Jackson (remainder of county), Kanawha, Pocahontas, Putnam, Roane (remainder of county), Summers & Webster (remainder of county) Counties.

Fringe Benefits Payments		Education and/or Appr. Tr.
H & W	Pensions	
11.62	.50	.60
11.12	.50	.60
10.72	.50	.60
10.32	.50	.60
9.32	.50	.60

POWER EQUIPMENT OPERATORS:

Fringe Benefits Payments		Education and/or Appr. Tr.
H & W	Pensions	
11.62	.50	.60
11.12	.50	.60
10.72	.50	.60
10.32	.50	.60
9.32	.50	.60

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

GROUP 1 - Operating cranes, derricks, tower cranes and similar equipment having a reach from the top of its boom to the ground of 175' or a lifting capacity of 70 tons; all shovels, draglines, clamshells, backhoes, endloaders and concrete mixing plants of 4 cubic yard capacity or over; hoist with 18,000 pound line pull or over.

GROUP 2 - All mechanics and those operating cranes, derricks and similar equipment; hydraulic cranes in excess of 15 tons capacity; all shovels, draglines, clamshells, gradallies, tug or tow boats; - concrete mixing plants of 3 cubic yards capacity; endloaders in excess of 2 1/2 cubic yards capacity; backhoes in excess of 1/2 cubic yard capacity; hoist in excess of 5,000 pounds line pull; side boom cat, standards gauge locomotive.

GROUP 3 - Hydraulic cranes up to and including 15 tons capacity; endloaders up to and including 2 1/2 cubic yards capacity; backhoes up to and including 1/2 cubic yard capacity, two drum hoist, well point system, concrete mixing plants, elevators, core drills, fork lift, ross carrier, air compressor (60 CFM or Over), high compression equipment, concrete pumps double.

GROUP 4 - Trencher, air tugger, concrete mixer, (2 bag) material hoist, (single) "A" frame truck, rubber tired scraper, power grader, dozer, tractor and pan, push cat, all tractors, oiler's standard gauge locomotive crane, truck cranes over 15 tons, grease truck operator and greaser, fireman, dockhand, asphalt and concrete paving equipment operators.

GROUP 5 - Roller and compactor, concrete mixer, (1 bag) Barbour Greene loader, mechanic helper, crawler crane oiler, air compressor, welding machine (gasoline powered), (gasoline powered) light plant, generator, conveyor, mechanical heater and pump operator.

DECISION NO. WV78-3018		Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ROOFERS:					
AREA 1		10.43	.60	.20	.02
AREA 2		11.95	.45	.30	
AREA 3					
Commercial:					
Roofers		11.95	.10	.10	.01
Waterproofers		12.45	.10	.10	.01
Unprotected roofing or re-roofing:					
Roofers		8.85	.10	.10	.01
Waterproofers:		9.35	.10	.10	.01
AREA 4					
Composition Roofers		9.05	.45	.40	
Composition Mopmen		9.30	.45	.40	
Slateis		9.20	.45	.40	

AREA COVERED BY ROOFERS

AREA 1 - Brooke, Hancock, Marshall & Ohio Counties.

AREA 2 - Boone, Cabell, Clay, Fayette, Greenbrier, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Putnam, Raleigh, Summers, Wayne, Webster & Wyoming Counties.

AREA 3 - Barbour, Braxton, Calhoun, Doddridge, Gilmer, Harrison, Jackson, Lewis, Marion, Mingo, Pocahontas, Pleasanton, Pocahontas, Preston, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wetzel, Wirt & Wood Counties.

AREA 4 - Grant, Hardy & Mineral Counties.

SHEETMETAL WORKERS:

Fringe Benefits Payments		Education and/or Appr. Tr.
H & W	Pensions	
10.20	.25	.02
11.05	.55	.05
10.14	.45	.04
12.10	.45	.04
11.04	.55	.04

DECISION NO. WV78-3018

AREAS COVERED ON SUBSISTENTIAL WORKERS

AREA 1 - Grant, Hampshire, Hardy & Mineral Counties.

AREA 2 - Cabell, Lincoln, Logan, Mingo & Wayne Counties.

AREA 3 - Brooke, Hancock, Marshall & Ohio Counties.

AREA 4 - Boone, Clay, Fayette, Greenbrier, Kanawha, Mason, McDowell, Mercer, Monroe, Putnam, Raleigh, Summers, Webster & Wyoming Counties.

AREA 5 - Barbour, Braxton, Calhoun, Doddridge, Gilmer, Harrison, Jackson, Lewis, Marion, Monongalia, Pendleton, Pleasants, Pocahontas, Preston, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Wetzel, Wirt & Wood Counties.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocation	
SOFT FLOOR LAYERS:					
AREA 1	10.45	.87	.85		.02
AREA 2	10.17	.50	.75		.03
AREA 3	10.42	.50	.35		.02
AREA 4	10.35	.50	.35		.02
AREA 5	11.27	.50	.35		.02
AREA 6	10.56	.40	.25		.02

AREAS COVERED BY SOFT FLOOR LAYERS

AREA 1 - Brooke, Hancock, Marshall & Ohio Counties.

AREA 2 - Cabell, Mingo & Wayne Counties.

AREA 3 - Fayette, McDowell, Mercer, Raleigh, Summers & Wyoming Counties.

AREA 4 - Logan County

AREA 5 - Boone, Clay, Greenbrier, Jackson (southern portion including the Towns of Leon, Ripley & Hereford), Kanawha, Lincoln, Mason, Monroe, Pocahontas, Putnam & Roane Counties.

AREA 6 - Calhoun, Jackson (remainder of county), Ritchie, Wirt & Wood Counties.

DECISION NO. WV78-3018

SPRINKLER FITTERS
TRUCK DRIVERS:

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vocation	
AREA 1	11.93	.75	1.05		.08
GROUP 1	8.16	F	9		
GROUP 2	8.26	F	9		
GROUP 3	8.41	F	9		
GROUP 4	8.46	F	9		
GROUP 5	8.51	F	9		
GROUP 6	8.61	F	9		
GROUP 7	8.81	F	9		
AREA 2					
GROUP 1	7.60	q	r		
GROUP 2	7.70	q	r		
GROUP 3	7.85	q	r		
GROUP 4	8.00	q	r		
GROUP 5	8.25	q	r		
GROUP 6	8.35	q	r		
AREA 3					
GROUP 1	9.77	h	j	1.00	
GROUP 2	9.87	h	j	1.00	
GROUP 3	10.02	h	j	1.00	
GROUP 4	10.07	h	j	1.00	
GROUP 5	10.12	h	j	1.00	
GROUP 6	10.17	h	j	1.00	
GROUP 7	10.42	h	j	1.00	
AREA 4					
GROUP 1	6.10	k	i		
GROUP 2	6.20	k	i		
GROUP 3	6.40	k	i		
GROUP 4	6.45	k	i		
GROUP 5	6.50	k	i		
GROUP 6	6.88	k	i		
AREA 5					
GROUP 1	5.85	l	m	n	
GROUP 2	5.88	l	m	n	
GROUP 3	5.90	l	m	n	
GROUP 4	6.00	l	m	n	
GROUP 5	6.08	l	m	n	
GROUP 6	6.13	l	m	n	
GROUP 7	6.16	l	m	n	
GROUP 8	6.43	l	m	n	
GROUP 9	6.50	l	m	n	
GROUP 10	6.53	l	m	n	

DECISION NO. WV78-3018

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appl. Tr.
		H & W	Pensions	Vacation	
AREA 6					
GROUP 1	7.75	0			
GROUP 2	7.76	0			
GROUP 3	7.80	0			
GROUP 4	7.83	0			
GROUP 5	7.85	0			
GROUP 6	8.08	0			
GROUP 7	8.38	0			
GROUP 8	8.48	0			
AREA 7					
GROUP 1	7.56	.60	.70		
GROUP 2	7.71	.60	.70		
GROUP 3	7.91	.60	.70		
GROUP 4	8.10	.60	.70		
GROUP 5	8.34	.60	.70		

TRUCK DRIVERS AREA 2

- GROUP 1 - Warehousemen, yardmen, truck helpers, pick-ups, station wagons, panel trucks.
- GROUP 2 - Flatbody material trucks (straight jobs), dump trucks (up to 5 cubic yards), greasers, washers, tiremen, gas pump attendants, mechanic helpers, material checkers & receivers, tank truck (straight).
- GROUP 3 - Dump trucks (5 cubic yards & over), semi-dump trucks, semi-trailer (whether flat, rack or pole and hauled or pushed by truck or tractors), agitators or mixer trucks (up to 5 cubic yards), tank trucks (semi), monorails.
- GROUP 4 - Low-boy trailers, winch trucks, fork trucks, distributor trucks (front and back end), truck crane, agitators or mixer trucks (5 cubic yards & over), hydraulic tail gate, farm type tractors.
- GROUP 5 - Euclids, dumpsters, turnarockers, ross carriers, atthey wagons or similar equipment, A-frame, hydrolift, dual purpose trucks.
- GROUP 6 - Mechanics.

TRUCK DRIVERS - AREA 3

- GROUP 1 - Warehousemen, yardmen, truck helpers, pick-ups, station wagons, panel trucks, flatboat material truck (straight job), greasers, washers, tiremen, gas pump attendants, dump trucks (up to 5 cubic yards).
- GROUP 2 - Tank truck (straight)
- GROUP 3 - Dump trucks (5 cubic yards and over), semi-dump trucks, semi trailers (whether flat rack or pole and hauled or pushed by truck or tractors), agitator or mixer trucks (up to 5 cubic yards), tank truck (semi).
- GROUP 4 - Low-boy trailers, winch trucks, fork trucks, distributor trucks (front and back end), truck crane, semi-rail truck.
- GROUP 5 - Material checker and receiver, mechanics helpers.
- GROUP 6 - Agitator or mixer truck (5 cubic yards and over).
- GROUP 7 - Mechanics, tri-axle dump trucks, hydraulic lift tailgate truck and farm type tractors, end dumpers, turnarockers, ross carriers, atthey wagon or similar equipment, A-frame, hydrolift, dual purpose trucks.

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS - AREA 1

- GROUP 1 - Warehousemen, yardmen, truck helpers, pick-ups, station wagons, panel trucks, flatbody material truck (straight job), greasers, washers, tiremen, gas pump attendants, dump trucks (up to 5 cubic yards).
- GROUP 2 - Tank truck (straight)
- GROUP 3 - Dump trucks (5 cubic yards and over), semi-dump trucks, semi-trailers, (whether flat rack, or pole and hauled or pushed by truck or tractor), agitator or mixer trucks (up to 5 cubic yards), farm type tractor, tank truck (semi).
- GROUP 4 - Low-Boy trailers, winch trucks, fork trucks, distributor trucks (front and back end), truck crane, semi-rail truck.
- GROUP 5 - Material checker and receiver, mechanics helpers.
- GROUP 6 - Agitator or mixer truck (5 cubic yards and over).
- GROUP 7 - Mechanics, euclid, dumper, turnarocker, ross carriers, atthey wagon or similar equipment, A-frame, hydrolift, dual purpose trucks.

NOTICES

DECISION NO. WV78-3018

TRUCK DRIVERS - AREA 4

- GROUP 1 - Warehouse, yardmen, truck helpers, pick-ups, stationwagons, panel trucks, team 2 - up.
- GROUP 2 - Flatbody material trucks (straight jobs), dump trucks (up to 5 cubic yards), material checkers, material receivers, team 4 - up, greasers, tire-men and mechanic helpers (truck)
- GROUP 3 - Semi-dump truck, semi-trailers (flat rack or pole), low-boy trucks, distributor trucks, agitators or mixer trucks (up to and including 5 yards), dump trucks and dumpster (5 to 12 yards).
- GROUP 4 - Dump truck, agitator or mixer trucks and other hauling equipment (12 yards to 20 yards), mucker truck, rubber-tired tractors (towing or pushing)
- GROUP 5 - Dump truck, agitator or mixer trucks and other hauling equipment (20 yards and over)
- GROUP 6 - "A" Frame operator, mechanics (truck).

TRUCK DRIVERS - AREA 5

- GROUP 1 - Flat bed material trucks, dump trucks, semi-dump trucks.
- GROUP 2 - Tank trucks (straight & semi).
- GROUP 3 - Semi-trailers, tractor trailers.
- GROUP 4 - Pole trailer.
- GROUP 5 - Agitator & mixer trucks (up to 5 cubic yards)
- GROUP 6 - Euclids, dumpsters, turnarockers, ross carriers, atthey wagons.
- GROUP 7 - Agitator & mixer trucks (over 5 cubic yards)
- GROUP 8 - Low-boy trailers, wind trucks, ford trucks (front and back end) truck crane.
- GROUP 9 - A-Frame.
- GROUP 10 - Mechanics.

TRUCK DRIVERS - AREA 6

- GROUP 1 - Warehousemen, yardmen, truck helpers.
- GROUP 2 - Greasers, washers, tiremen, gas pump attendants, mechanics helpers.
- GROUP 3 - Flatbody material trucks, dump trucks, semi-trucks.
- GROUP 4 - Tank trucks (straight & semi)
- GROUP 5 - Semi-trailers & tractor trailers.
- GROUP 6 - Euclids, dumpsters, turnarockers, ross carriers, atthey wagons.
- GROUP 7 - Low-boy trailers, winch trucks, A-frame, fork trucks, distributor (front & back end), truck crane.
- GROUP 8 - Mechanics.

DECISION NO. WV78-3018

TRUCK DRIVERS - AREA 7

- GROUP 1 - Dumpmen & flagmen.
- GROUP 2 - Pick-up trucks, dump trucks under 5 yard capacity, straight trucks.
- GROUP 3 - Panel trucks, straight truck with multiple axle, dumpsters under 5 yard capacity, transit mix, dump trucks from 5 to 9 yards capacity, flat body material trucks (straight jobs), greasers, tiremen & mechanic helpers, rubber-tired (towing or pushing flatbody vehicles), & form trucks.
- GROUP 4 - Dump trucks 10-15 yard capacity.
- GROUP 5 - Dump trucks over 15 yard capacity, bottom and end dump euclids, all other euclid type trucks, turnarockers, ross carriers, atthey wagons, A-frames, mechanics, semi-trailer or tractor trailers, low boy trucks, asphalt distributor trucks, agitator mixer, dumpsters or batch trucks, specialized earth moving equipment, off-highway tandem back-dump, twin engine equipment and double hitched equipment (where not self-loaded)

AREAS COVERED BY TRUCK DRIVERS

- AREA 1 - Boone, Braxton, Clay, Fayette, Greenbrier, Kanawha, McDowell, Mercer, Monroe, Pocahontas, Putnam, Raleigh, Summers, Webster & Wyoming Counties.
- AREA 2 - Calhoun, Gilmer, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt & Wood Counties.
- AREA 3 - Cabell, Lincoln, Logan, Mason, Mingo & Wayne Counties.
- AREA 4 - Barbour, Doddridge, Harrison, Lewis, Marion, Monongalia, Randolph, Taylor, Tucker & Upshur Counties.
- AREA 5 - Marshall, Ohio & Wetzel Counties.
- AREA 6 - Brooke & Hancock Counties.
- AREA 7 - Grant, Hampshire, Hardy, Mineral & Pendleton Counties.

DECISION NO. WV78-3018

- m. Employer contributes \$6.00 per week per employee.
- n. One week's paid vacation.
- o. Employer contributes \$19.00 per week per employee.
- p. Paid Holidays: A through F, plus Christmas Eve.
- q. Employer contributes \$93.17 per month per employee employed 30 days or more.
- r. Employer contributes \$26.00 per month per employee employed 30 days or more.

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DECISION NO. WV78-3018

Welders - Receive rate prescribed for craft performing operation to which welding is incidental

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

- a. Paid Holiday: Christmas Day.
- b. Paid Holidays: A through F.
- c. Employer contributes 8% of basic hourly rate for 5 years or more of service or 6% of basic hourly rate for 6 months to 5 years of service at Vacation Pay Credit.
- d. Employer contributes 2¢ per hour per employee from June 1 to December 31.
- e. Employer contribution of 3¢ per hour to the Sami Fund per employee and is based on the basic hourly rate, plus pension, plus health and welfare.
- f. Employer contributes \$41.16 per month per employee employed 30 days or more.
- g. Employer contributes \$34.67 per month per employee.
- h. Employer contributes \$93.17 per month per employee employed 30 days or more.
- i. Employer contributes \$26.00 per month per employee employed 30 days or more.
- j. Employer contributes \$60.67 per month per employee employed 30 days or more.
- k. Employer contributes \$28.50 per month per employee employed 30 days or more.
- l. Employer contributes \$6.30 per week per employee.